Director Hayden: "No, sir, 96, all 96."[1269]

(~~TS//~~[redacted]~~//NF~~) In April 2007, CIA Director Hayden testified that the CIA's interrogation program existed "for one purpose – intelligence," and that it is "the most successful program being conducted by American intelligence today" for "preventing attacks, disabling al-Qa'ida."[1270] At this hearing Director Hayden again suggested that the CIA interrogation program was successful in obtaining intelligence from all CIA detainees.[1271] A transcript of that hearing included the following exchange:

Senator Snowe: "General Hayden. Of the 8000 intelligence reports that were provided, as you said, by 30 of the detainees."

Director Hayden: "By all 97, ma'am."[1272]

(~~TS//~~[redacted]~~//NF~~) The suggestion that all CIA detainees provided information that resulted in intelligence reporting is not supported by CIA records. CIA records reveal that 34 percent of the 119 known CIA detainees produced no intelligence reports, and nearly 70 percent produced fewer than 15 intelligence reports. Of the 39 detainees who were, according to CIA records, subjected to the CIA's enhanced interrogation techniques, nearly 20 percent produced no intelligence reports, while 40 percent produced fewer than 15 intelligence reports. While the CIA's Detention and Interrogation Program did produce significant amounts of disseminated intelligence reporting (5,874 sole-source intelligence reports), this reporting was overwhelmingly derived from a small subset of CIA detainees. For example, of the 119 CIA detainees identified in the Study, 89 percent of all disseminated intelligence reporting was derived from 25 CIA detainees. Five CIA detainees produced more than 40 percent of all intelligence reporting from the CIA's Detention and Interrogation Program. CIA records indicate that two of the five detainees were not subjected to the CIA's enhanced interrogation techniques.[1273]

F. The Eight Primary CIA Effectiveness Representations—the Use of the CIA's Enhanced Interrogation Techniques "Enabled the CIA to Disrupt Terrorist Plots" and "Capture Additional Terrorists"

(~~TS//~~[redacted]~~//NF~~) From 2003 through 2009,[1274] the CIA consistently and repeatedly represented that its enhanced interrogation techniques were effective and necessary to produce

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[1269] Senate Select Committee on Intelligence, Briefing by the Director, Central Intelligence Agency, on the Central Intelligence Agency Detention, Interrogation and Rendition Program, September 6, 2006 (SSCI #2007-1336). At the time this statement was made there had been at least 118 CIA detainees.

[1270] Senate Select Committee on Intelligence, Hearing on the Central Intelligence Agency Detention and Interrogation Program, April 12, 2007 (DTS #2007-3158).

[1271] Senate Select Committee on Intelligence, Hearing on the Central Intelligence Agency Detention and Interrogation Program, April 12, 2007 (DTS #2007-3158).

[1272] Senate Select Committee on Intelligence, Hearing on the Central Intelligence Agency Detention and Interrogation Program, April 12, 2007 (DTS #2007-3158).

[1273] *See* detainee intelligence reporting data in Volume II.

[1274] The CIA represented in 2002 that the CIA's enhanced interrogation techniques were necessary and effective. The Committee analysis focuses on CIA representations between 2003 and 2009, during which time the CIA

critical intelligence that "enabled the CIA to disrupt terrorist plots, capture additional terrorists, and collect a high-volume of critical intelligence on al-Qa'ida." The CIA further stated that the information acquired as a result of the use of the CIA's enhanced interrogation techniques could not have been acquired by the U.S. government in any other way ("otherwise unavailable").[1275]

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provided specific examples of counterterrorism "successes" the CIA attributed to the use of the CIA's enhanced interrogation techniques.

[1275] *See* list of 20 CIA representations included in this summary. From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques included a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program- 18FEB.2009" and graphic

The CIA also represented that the best measure of effectiveness of the CIA's enhanced interrogation techniques was examples of specific terrorist plots "thwarted" and specific terrorists captured as a result of the use of the CIA's techniques.

(~~TS//[redacted]//NF~~) For example, in a December 2004 CIA memorandum prepared for the national security advisor, the CIA wrote that there was "no way to conduct" an "independent study of the foreign intelligence efficacy of using enhanced interrogation techniques," but stated, "[t]he Central Intelligence Agency can advise you that this program works and the techniques are effective in producing foreign intelligence." To illustrate the effectiveness of the CIA's interrogation techniques, the CIA provided 11 examples of "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques," nine of which referenced specific terrorist plots or the capture of specific terrorists.[1276] Similarly, under the heading, "Plots Discovered as a Result of EITs," a CIA briefing prepared for President Bush in November 2007 states, "reporting statistics alone will not provide a fair and accurate measure of the effectiveness of EITs." Instead, the CIA provided eight "examples of key intelligence collected from CIA detainee interrogations after applying the waterboard along with other interrogation techniques," seven of which referenced specific terrorist plots or the capture of specific terrorists.[1277]

(~~TS//[redacted]//NF~~) The Committee selected 20 CIA documents that include CIA representations about the effectiveness of the CIA's enhanced interrogation techniques from 2003 through 2009. The 20 CIA documents, which were consistent with a broader set of CIA representations made during this period, include materials the CIA prepared for the White

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attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1276] Italics in original document. *See* CIA memorandum to "National Security Advisor," from "Director of Central Intelligence," Subject: "Effectiveness of the CIA Counterterrorist Interrogation Techniques," included in email from: [redacted]; to: [redacted], [redacted], and [redacted]; subject: "paper on value of interrogation techniques"; date: December 6, 2004, at 5:06:38 PM. The email references the attached "information paper to Dr. Rice explaining the value of the interrogation techniques." The document includes the following: The "Karachi Plot," "The Heathrow Plot," The "Second Wave," "The Guraba Cell," "Issa al-Hindi," "Abu Talha al-Pakistani," "Hambali's Capture," "Jafaar al-Tayyar," "Dirty Bomb Plot," "Shoe Bomber," and "Shkai, Pakistan."

[1277] *See* CIA document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting." The document states, under the heading, "Plots Discovered as a Result of EITs," that "reporting statistics alone will not provide a fair and accurate measure of the effectiveness of EITs," and then provides a list of "examples of key intelligence collected from CIA detainee interrogations *after applying the waterboard* along with other interrogation techniques…The 'Second Wave'…Hambali's Capture…The Guraba Cell…Shoe Bomber…Issa al-Hindi…Jafaar al-Tayyar… The Karachi Plot…The Heathrow Plot" (italics added).

House, the Department of Justice, the Congress, the CIA Office of Inspector General, as well as incoming members of President Obama's national security team, and the public. The Committee selected the following 20 CIA documents:

1. July and September 2003: CIA Briefing Documents Seeking Policy Reaffirmation of the CIA Interrogation Program from White House Officials, "Review of Interrogation Program."[1278]

2. February 2004: The CIA's Response to the Draft Inspector General Special Review, CIA "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program,'" and attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities."[1279]

3. July 2004: CIA Intelligence Assessment, "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida."[1280]

4. December 2004: CIA Memorandum for the President's National Security Advisor, "Effectiveness of the CIA Counterterrorist Interrogation Techniques."[1281]

5. March 2005: CIA Memorandum for the Office of Legal Counsel, "Effectiveness of the CIA Counterterrorist Interrogation Techniques."[1282]

6. March 2005: CIA "Briefing for Vice President Cheney: CIA Detention and Interrogation Program."[1283]

[1278] CIA memorandum for the Record, "Review of Interrogation Program on 29 July 2003," prepared by CIA General Counsel Scott Muller, dated August 5, 2003; briefing slides entitled, "*CIA Interrogation Program,*" dated July 29, 2003, presented to senior White House officials. Additional briefings are detailed in September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Scott Muller, Subject: CIA Interrogation Program.

[1279] CIA memorandum to the CIA Inspector General from James Pavitt, CIA's Deputy Director for Operations, dated February 27, 2004, with the subject line, "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program' (2003-7123-IG)," Attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities," dated February 24, 2004.

[1280] CIA Directorate of Intelligence, "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida," dated July 13, 2004; fax to the Department of Justice, April 22, 2005, entitled, "[redacted], Materials on KSM and Abu Zubaydah. [redacted]." This report was widely disseminated in the Intelligence Community, and a copy of this report was provided to the Senate Select Committee on Intelligence on July 15, 2004. On March 31, 2009, former Vice President Cheney requested the declassification of this Intelligence Assessment, which was publicly released with redactions on August 24, 2009.

[1281] CIA memorandum to "National Security Advisor," from "Director of Central Intelligence," Subject: "Effectiveness of the CIA Counterterrorist Interrogation Techniques," included in email from: [redacted]; to: [redacted], [redacted], and [redacted]; subject: "paper on value of interrogation techniques"; date: December 6, 2004, at 5:06:38 PM. The email references the attached "information paper to Dr. Rice explaining the value of the interrogation techniques."

[1282] CIA Memorandum for Steve Bradbury at Office of Legal Counsel, Department of Justice, dated March 2, 2005, from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, subject: "Effectiveness of the CIA Counterterrorist Interrogation Techniques."

[1283] CIA briefing for Vice President Cheney, dated March 4, 2005, entitled, "Briefing for Vice President Cheney: CIA Detention and Interrogation Program."

7. March 2005: CIA Talking Points for the National Security Council, "Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques."[1284]

8. April 2005: CIA "Briefing Notes on the Value of Detainee Reporting" provided to the Department of Justice for the OLC's assessment of the legality of the CIA's enhanced interrogation techniques.[1285]

9. April 2005: CIA "Materials of KSM and Abu Zubaydah" and additional CIA documents provided to the Department of Justice for the OLC's assessment of the legality of the CIA's enhanced interrogation techniques.[1286]

10. June 2005: CIA Intelligence Assessment, "Detainee Reporting Pivotal for the War Against Al-Qa'ida."[1287]

11. December 2005: CIA Document entitled, "Future of CIA's Counterterrorist Detention and Interrogation Program," with the attachment, "Impact of the Loss of the Detainee Program to CT Operations and Analysis," from CIA Director Porter Goss to Stephen Hadley, Assistant to the President/National Security Advisor, Frances Townsend, Assistant to the President/Homeland Security Advisor, and Ambassador John Negroponte, the Director of National Intelligence.[1288]

12. May 2006: CIA Briefing for the President's Chief of Staff, "CIA Rendition, Detention and Interrogation Programs," on the effectiveness of the CIA's enhanced interrogation techniques.[1289]

[1284] CIA Talking Points entitled, "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques."

[1285] CIA "Briefing Notes on the Value of Detainee Reporting" faxed from the CIA to the Department of Justice on April 15, 2005, at 10:47AM.

[1286] CIA fax to DOJ Command Center, dated April 22, 2005, for [redacted], Office of Legal Counsel, U.S. Department of Justice, from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, re: [redacted], Materials of KSM and Abu Zubaydah, included CIA Intelligence Assessment "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida," and CIA document, "Materials of KSM and Abu Zubaydah."

[1287] CIA Intelligence Assessment, "Detainee Reporting Pivotal for the War Against Al-Qa'ida," June 2005, which CIA records indicate was provided to White House officials on June 1, 2005. The Intelligence Assessment at the SECRET//NOFORN classification level was more broadly disseminated on June 3, 2005. On March 31, 2009, former Vice President Cheney requested the declassification of this Intelligence Assessment, which was publicly released with redactions on August 24, 2009.

[1288] CIA memorandum entitled, "Future of CIA's Counterterrorist Detention and Interrogation Program," dated December 23, 2005, from CIA Director Porter Goss to Stephen J. Hadley, Assistant to the President/National Security Advisor, Frances F. Townsend, Assistant to the President/Homeland Security Advisor, Ambassador John D. Negroponte, the Director of National Intelligence, Attachment, "Impact of the Loss of the Detainee Program to CT Operations and Analysis."

[1289] CIA briefing document dated May 2, 2006, entitled, "BRIEFING FOR CHIEF OF STAFF TO THE PRESIDENT 2 May 2006 Briefing for Chief of Staff to the President Josh Bolten: CIA Rendition, Detention and Interrogation Programs."

13. July 2006: CIA Memorandum for the Director of National Intelligence, "Detainee Intelligence Value Update."[1290]

14. September 2006: CIA documents supporting the President's September 6, 2006, speech, including representations on the effectiveness of the CIA's interrogation program, including: "DRAFT Potential Public Briefing of CIA's High-Value Terrorist Interrogations Program," "CIA Validation of Remarks on Detainee Policy," and "Summary of the High Value Terrorist Detainee Program."[1291]

15. April 2007: CIA Director Michael Hayden's Testimony to the Senate Select Committee on Intelligence describing the effectiveness of the CIA's interrogation program.[1292]

16. October 2007: CIA Talking Points for the Senate Appropriations Committee, addressing the effectiveness of the CIA's Detention and Interrogation Program, entitled, "Talking Points Appeal of the $[redacted] Million Reduction in CIA/CTC's Rendition and Detention Program."[1293]

17. November 2007: CIA Director Talking Points for the President, entitled, "Waterboard 06 November 2007," on the effectiveness of the CIA's waterboard interrogation technique.[1294]

18. January 2009: CIA Briefing for President-elect Obama's National Security Transition Team on the value of the CIA's "Renditions, Detentions, and Interrogations (RDI)."[1295]

19. February 2009: CIA Briefing for CIA Director Leon Panetta on the effectiveness of the CIA's enhanced interrogation techniques, including "DCIA Briefing on RDI Program-18FEB.2009," "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," "EITs and Effectiveness," "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart:

[1290] CIA briefing document entitled, "Detainee Intelligence Value Update," dated 11 July 2006, internal document saved within CIA records as, "DNI Memo Intel Value July 11 2006...TALKING POINTS FOR DCI MEETING."
[1291] CIA document dated July 16, 2006, entitled, "DRAFT Potential Public Briefing of CIA's High-Value Terrorist Interrogations Program," and "CIA Validation of Remarks on Detainee Policy," drafts supporting the September 6, 2006, speech by President George W. Bush acknowledging and describing the CIA's Detention and Interrogation Program, as well as an unclassified Office of the Director of National Intelligence release, entitled, "Summary of the High Value Terrorist Detainee Program."
[1292] CIA classified Statement for the Record, Senate Select Committee on Intelligence, provided by General Michael V. Hayden, Director, Central Intelligence Agency, 12 April 2007; and accompanying Senate Select Committee on Intelligence hearing transcript for April 12, 2007, entitled, "Hearing on Central Intelligence Agency Detention and Interrogation Program."
[1293] CIA fax from CIA employee [REDACTED] to U.S. Senate Committee on Appropriations, Subcommittee on Defense, with fax cover sheet entitled, "Talking points," sent on October 26, 2007, at 5:39:48 PM. Document faxed entitled, "Talking Points Appeal of the $[redacted] Million reduction in CIA/CTC's Rendition and Detention Program."
[1294] "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007 with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."
[1295] CIA Briefing for Obama National Security Team- "Renditions, Detentions, and Interrogations (RDI)" including "Tab 7," named "RDG Copy- Briefing on RDI Program 09 Jan. 2009, " prepared "13 January 2009."

Attachment," and "Background on Key Captures and Plots Disrupted," among other CIA documents. [1296]

20. March 2009: CIA Memorandum for the Chairman of the Senate Select Committee on Intelligence, including representations on the "Key Captures and Disrupted Plots Gained from HVDs in the RDI Program."[1297]

(~~TS//[redacted]//NF~~) From the 20 CIA documents, the Committee identified the CIA's eight most frequently cited examples of "thwarted" plots and captured terrorists that the CIA attributed to information acquired from the use of the CIA's enhanced interrogation techniques:

	Eight Most Frequently Cited Examples of Plots "Thwarted" and Terrorists Captured Provided by the CIA as Evidence for the Effectiveness of the CIA's Enhanced Interrogation Techniques	*Referenced X Number of Times in the 20 CIA Documents*
1	The Thwarting of the Dirty Bomb/Tall Buildings Plot and the Capture of Jose Padilla	17/20
2	The Thwarting of the Karachi Plots	17/20
3	The Thwarting of the Second Wave Plot and the Discovery of the al-Ghuraba Group	18/20
4	The Thwarting of the United Kingdom Urban Targets Plot and the Capture of Dhiren Barot, aka Issa al-Hindi	17/20
5	The Identification, Capture, and Arrest of Iyman Faris	7/20
6	The Identification, Capture, and Arrest of Sajid Badat	17/20
7	The Thwarting of the Heathrow Airport and Canary Wharf Plotting	20/20
8	The Capture of Hambali	18/20

(~~TS//[redacted]//NF~~) The Committee sought to confirm that the CIA's representations about the most frequently cited examples of "thwarted" plots and captured terrorists were consistent with the more than six million pages of CIA detention and interrogation records provided to the Committee. Specifically, the Committee assessed whether the CIA's representations that its enhanced interrogation techniques produced unique, otherwise unavailable intelligence[1298] that led to the capture of specific terrorists and the "thwarting" of

[1296] CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program- 18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," Includes "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted."

[1297] CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, at 3:46 PM, entitled, "[SWIGERT] and [DUNBAR]," which includes "Key Captures and Disrupted Plots Gained From HVDs in the RDI Program" (DTS #2009-1258).

[1298] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA

representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

specific plots were accurate.[1299] The Committee found the CIA's representations to be inaccurate and unsupported by CIA records.

(~~TS//[redacted]//NF~~) Below are the summaries of the CIA's eight most frequently cited examples of "thwarted" plots and captured terrorists, as well as a description of the CIA's claims and an explanation for why the CIA representations were inaccurate and unsupported by CIA records.[1300]

1. The Thwarting of the Dirty Bomb/Tall Buildings Plot and the Capture of Jose Padilla

(~~TS//[redacted]//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and necessary to produce critical, otherwise unavailable intelligence, which enabled the CIA to disrupt terrorist plots, capture terrorists, and save lives. Over a period of years, the CIA provided the thwarting of terrorist plotting associated with, and the capture of, Jose Padilla, as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These CIA representations were inaccurate. The CIA first received reporting on the terrorist threat posed by Jose Padilla from a foreign government. Eight days later, Abu Zubaydah provided information on the terrorist plotting of two individuals, whom he did not identify by true name, to FBI special agents. Abu Zubaydah provided this information in April 2002, prior to the commencement of the CIA's enhanced interrogation techniques in August 2002. The plots associated with Jose Padilla were assessed by the Intelligence Community to be infeasible.

[1299] The CIA has represented that it has provided the Senate Select Committee on Intelligence with all CIA records related to the CIA's Detention and Interrogation Program. This document production phase lasted more than three years and was completed in July 2012. The records produced include more than six million pages of material, including records detailing the interrogation of detainees, as well as the disseminated intelligence derived from the interrogation of CIA detainees. The CIA did not provide—nor was it requested to provide—intelligence records that were unrelated to the CIA Detention and Interrogation Program. In other words, this Study was completed without direct access to reporting from CIA HUMINT assets, foreign liaison assets, electronic intercepts, military detainee debriefings, law enforcement derived information, and other methods of intelligence collection. Insomuch as this material is included in the analysis herein, it was provided by the CIA within the context of documents directly related to the CIA Detention and Interrogation Program. For example, a requirements cable from CIA Headquarters to CIA interrogators at a CIA detention site could cite SIGNALS intelligence collected by NSA, or include a CIA HUMINT source report on a particular subject, with a request to question the CIA detainee about the reporting. While direct access to the NSA report, or the CIA HUMINT report, may not have been provided, it may still be included in this Study because it appeared in the CIA Headquarters requirements cable relating to the questioning of a CIA detainee. As such, there is likely significant intelligence related to the terrorist plots, terrorists captured, and other intelligence matters examined in this report, that is unrelated to the CIA's Detention and Interrogation Program and within the databases of the U.S. Intelligence Community, but which has not been identified or reviewed by the Select Committee on Intelligence for this Study. As is detailed in the near 6800-page Committee Study, the Committee found that there was significant intelligence in CIA databases to enable the capture of the terrorists cited, and "disrupt" the terrorist plots represented as "thwarted," without intelligence from the CIA interrogation program. Had the Committee been provided with access to all intelligence available in CIA and Intelligence Community databases, it is likely this finding would be strengthened further. Finally, as of March 2014, the White House had not yet provided approximately 9,400 documents related to the CIA's Detention and Interrogation Program—equivalent to less than .2 percent of CIA detention and interrogation records—pending an Executive Privilege determination. The Committee requested access to these documents in three letters dated January 3, 2013, May 22, 2013, and December 19, 2013. The White House did not respond to the requests.

[1300] *See* Volume II for additional information and analysis.

(~~TS//~~ [redacted] ~~//NF~~) *Further Details:* The Dirty Bomb/Tall Buildings plotting refers to terrorist plotting involving U.S. citizen Jose Padilla. Padilla and his associate, Binyam Mohammed, conceived the "Dirty Bomb Plot" after locating information, derived from what the CIA described as "a satirical internet article" entitled "How to Make an H-bomb," on a computer at a Pakistani safe house in early 2002.[1301] The article instructed would-be bomb makers to enrich uranium by placing it "in a bucket, attaching it to a six foot rope, and swinging it around your head as fast as possible for 45 minutes."[1302] Padilla and Mohammed approached Abu Zubaydah in early 2002, and later KSM, with their idea to build and use this device in the United States.[1303] Neither Abu Zubaydah nor KSM believed the plan was viable,[1304] but KSM provided funding for, and tasked Padilla to conduct, an operation using natural gas to create explosions in tall buildings in the United States,[1305] later known as the "Tall Buildings Plot."[1306]

[1301] [redacted] 10090 (210703Z APR 02) and CIA Document, Subject: "CIA Statement Summarizing Significant Information About Jose Padilla {21:10 hrs.- 8 June 02}." For more information on the Internet article that recommended enriching uranium by "putting it into a bucket and twisting it around one's head to enrich it," *see* "How to Make an H-Bomb" and [REDACTED] 2281 (071658Z MAY 04). *See also* email from: [REDACTED], [redacted]OTA/CTWG/CBRN Group; to: [REDACTED] and multiple ccs, including [redacted]; subject: "Re: [REDACTED]: Re: KSM homework on AQ nuke program"; date: April 22, 2003, at 03:30 PM, explaining CIA's CBRN group's position on Padilla and Mohammed's plotting. According to the email: "Padilla and Binyam/Zouaoui had pulled an article off a satirical web site called 'How to make an H-bomb' which is based on a 1979 Journal of Irreproducible Results article. The article was intended to be humorous and included instructions such as enriching uranium by placing liquid uranium hexaflouride in a bucket, attaching it to a six foot rope, and swinging it around your head as fast as possible for 45 minutes. While it appears that Padilla and Zouaoui took the article seriously, Zubaydah recommended that they take their (cockamamie) ideas to (I believe) KSM in Karachi. It was at that point that KSM told them to focus on bringing down apartment buildings with explosives. (in other words: keep your day jobs)." U.K. courts noted "that [redacted]

[1302] Email from: [REDACTED], CTC/OTA/CBRNB; subject: "Note to Briefers Updating Zubaydah 'Uranium Device' Information"; date: April 23, 2002, at 08:25:40 PM. The email states, "CIA and Lawrence Livermore National Lab have assessed that the article is filled with countless technical inaccuracies which would likely result in the death of anyone attempting to follow the instructions, and would definitely not result in a nuclear explosive device." *See also* [REDACTED] 2281 (071658Z MAY 04).

[1303] [redacted] 10090 (210703Z APR 02)

[1304] CIA [redacted] (290925Z APR 02); [redacted] 11086 (261140Z APR 02). *See also* Padilla statement noting Abu Zubaydah "chuckled at the idea," but sent Padilla and Muhammad to Karachi to present the idea to KSM. *See* fax from Pat Rowan, Department of Justice National Security Division, to [REDACTED], at CTC Legal, on August 15, 2007, with subject line: "Jose Padilla."

[1305] DIRECTOR [redacted] (041637Z). *See also* CIA [redacted] (290925Z APR 02); [redacted] 10091 (210959Z APR 02); [REDACTED] 2281 (071658Z MAY 04); and DIRECTOR [redacted] (101725Z MAR 04).

[1306] For additional background on the Dirty Bomb/Tall Buildings Plotting, *see* fax from Pat Rowan, Department of Justice National Security Division, to [REDACTED], at CTC Legal, on August 15, 2007, with subject line: "Jose Padilla." The document states: "Jose Padilla is a United States citizen who has been designated as an enemy combatant by the President and has been detained by the military since June 9, 2002. Padilla is commonly known as the 'dirty bomber' because early intelligence from a senior al Qaeda detainee [Abu Zubaydah] and Padilla's intended accomplice [Binyam Muhammad] indicated that he had proposed to senior al Qaeda leaders the use of a radiological dispersion device, or 'dirty bomb,' against United States targets, or interests, and he was detained by the military partly on that basis. Based on later and more complete intelligence, including Padilla's own statements during military detention, it now appears that Padilla re-entered the United States after he accepted a mission from al Qaeda leaders, specifically from Khalid Sheikh Mohammad ('KSM'), the emir of the attacks of September 11, to destroy one or more high-rise apartment buildings in the United States through the use of natural gas explosions triggered by timing devices, and had received training, equipment and money for that mission." *See also* other records that describe the plotting as targeting tall apartment buildings, without reference to a radiological or "dirty" bomb. For example, a July 15, 2004, CIA intelligence report titled, "Khalid Shaykh Muhammad: Preeminent

(~~TS//[redacted]//NF~~) The capture of, and the thwarting of terrorist plotting associated with Jose Padilla, is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the identification and/or the capture of Jose Padilla, and/or the disruption of the "Dirty Bomb," and/or the "Tall Buildings" plotting, as examples of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1307] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1308]

Source on Al-Qa'ida," noted: "From late 2001 until early 2003, KSM also conceived several low-level plots, including an early 2002 plan to send al-Qa'ida operative and US citizen Jose Padilla to set off bombs in high-rise apartment buildings in an unspecified major US city." Similarly, an Intelligence Community report titled, "Khalid Shaykh Muhammad's Threat Reporting—Precious Truths, Surrounded by a Bodyguard of Lies," noted: "Binyam Muhammad stated during his debriefings that his and Padilla's objective was to topple a high-rise building with a gas explosion in Chicago." (*See* Community Counterterrorism Board, Intelligence Community Terrorist Threat Assessment, "Khalid Shaykh Muhammad's Threat Reporting—Precious Truths, Surrounded by a Bodyguard of Lies," Report Number IICT-2003-14, April 3, 2003.) The unclassified ODNI "Summary of the High Value Terrorist Detainee Program," released September 6, 2006, states that, "[w]orking with information from detainees, the US disrupted a plot to blow up tall buildings in the United States. KSM later described how he had directed operatives to ensure the buildings were high enough to prevent the people trapped above from escaping out of the windows, thus ensuring their deaths from smoke inhalation."

[1307] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005. *See also* CIA talking points for National Security Council entitled, "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques," dated March 4, 2005, as well as multiple other CIA briefing records and memoranda described in Volume II.

[1308] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central

(~~TS//~~ [redacted] ~~//NF~~) For example, a document prepared for Vice President Cheney in advance of a March 8, 2005, National Security Council principals meeting states, under a section entitled "INTERROGATION RESULTS," that:

> "Use of DOJ-authorized *enhanced interrogation techniques*, as part of a comprehensive interrogation approach, has *enabled* us to disrupt terrorist plots…
>
> …Dirty Bomb Plot: Operatives Jose Padilla and Binyam Mohammed planned to build and detonate a 'dirty bomb' in the Washington DC area. *Plot disrupted.* Source: Abu Zubaydah."[1309]

Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1309] CIA document dated March 4, 2005, entitled, "Briefing for Vice President Cheney: CIA Detention and Interrogation Program." The briefing document further represented that: (1) "Prior to the use of enhanced measures against skilled resistors [sic] like KSM and Abu Zubaydah- the two most prolific intelligence producers in our control- we acquired little threat information or significant actionable intelligence"; and (2) "[CIA] would not have succeeded in overcoming the resistance of KSM, Abu Zubaydah, and other equally resistant HVDs without the application of EITs."

(~~TS//[redacted]//NF~~) Likewise, the July 20, 2007, Department of Justice Office of Legal Counsel (OLC) memorandum on the CIA's enhanced interrogation techniques used CIA-provided information on Jose Padilla to describe the threat posed by al-Qa'ida and the success of the CIA's enhanced interrogation techniques to date. The July 20, 2007, OLC memorandum states:

> "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by *producing substantial quantities of otherwise unavailable intelligence*. The CIA believes that this program 'has been a key reason why al-Qa'ida has failed to launch a spectacular attack in the West since 11 September 2001'... We understand that use of enhanced techniques has produced significant intelligence that the Government has used to keep the Nation safe. As the President explained [in his September 6, 2006 speech], '*by giving us information about terrorist plans we could not get anywhere else*, the program has *saved innocent lives*'...For example, we understand that enhanced interrogation techniques proved particularly crucial in the interrogations of Khalid Shaykh Muhammad and Abu Zubaydah... *Interrogations of Zubaydah—again, once enhanced techniques were employed—revealed two al-Qaeda operatives already in the United States*[1310] *and planning to destroy a high rise apartment building and to detonate a radiological bomb in Washington, D.C.*"[1311]

On April 21, 2009, a CIA spokesperson confirmed the accuracy of the information in the OLC memorandum in response to the partial declassification of this and other memoranda.[1312]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the thwarting of the Dirty Bomb plotting, the thwarting of the Tall Buildings plotting, and/or the capture of Jose Padilla in 17 of the 20 documents provided to policymakers and the Department of Justice between July 2003 and March 2009.[1313]

[1310] Italics added. CIA records indicate that Abu Zubaydah never provided information on "two operatives already in the United States." While neither Binyam Muhammad nor Jose Padilla was "already in the United States," the OLC description appears to be a reference to Jose Padilla and Binyam Mohammad, as the OLC then makes reference to the "Dirty Bomb" and "Tall Buildings" plotting.

[1311] Italics added. *See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.

[1312] *See* "Waterboarding Saved L.A.," *Washington Times*, April 25, 2009. The CIA's June 2013 Response asserts that it "took [the CIA] until 2007 to consistently stop referring to [Padilla's] 'Dirty Bomb' plot—a plan [the CIA] concluded early on was never operationally viable." As noted, the CIA continued to refer to the "Dirty Bomb" plotting through 2007 and confirmed the information publicly in 2009.

[1313] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other CIA records found that the use of the CIA's enhanced interrogation techniques played no role in the identification of "Jose Padilla" or the thwarting of the Dirty Bomb or Tall Buildings plotting. CIA records indicate that: (1) there was significant intelligence in CIA databases acquired prior to—and independently of—the CIA's Detention and Interrogation Program to fully identify Jose Padilla as a terrorist threat and to disrupt any terrorist plotting associated with him;[1314] (2) Abu Zubaydah provided information on the terrorist plotting of two individuals who proposed an idea to conduct a "Dirty Bomb" attack, but did not identify their true names; (3) Abu Zubaydah provided this information to FBI special agents who were using rapport-building techniques,[1315] in April 2002, more than three months prior to the CIA's "use of DOJ-approved enhanced

[1314] *See*, for example, [redacted]; CIA document entitled, "CIA Statement Summarizing Significant Information About Jose Padilla (21:10 hrs.- 8 June 02)"; [redacted] 10972 (120312 APR 02); ALEC [redacted] (231837Z APR 02); and [redacted] 10976 (120948Z APR 02); among other records.

[1315] Federal Bureau of Investigation documents pertaining "to the interrogation of detainee Zayn Al Abideen Abu Zabaidah" and provided to the Senate Select Committee on Intelligence by cover letter dated July 20, 2010 (DTS# 2010-2939). *See also* [redacted] 10092 (211031Z APR 02). While Abu Zubaydah was subjected to sleep deprivation and nudity prior to this date by the CIA, he had been allowed to sleep shortly prior to being questioned on this matter by the FBI special agents, who were exclusively using rapport-building interrogation techniques when the information was acquired from Abu Zubaydah (who was covered with a towel). The sleep deprivation and nudity as implemented during this period differed from how sleep deprivation and nudity were implemented after the CIA developed, and the Department of Justice approved, the CIA's "enhanced interrogation techniques" in August 2002. Rather than being placed in a stress position during sleep deprivation, Abu Zubaydah was kept awake by being questioned nearly non-stop by CIA and FBI interrogators. Records further indicate that during breaks in the interrogations, Abu Zubaydah was allowed to briefly sleep. *See also* [redacted] 10116 (250731Z APR 02), which describes this sleep deprivation as a period of "no sustained sleep" with "cat naps between interrogators." The cable further states: "Like many medical students, the subject appears to handle 76 plus hours of *limited sleep* with few problems" (italics added). The use of nudity during this period also differed from future uses of nudity, as Abu Zubaydah was covered when interrogated by the FBI. *See also* SSCI Staff interview of FBI Special Agent Ali Soufan, April 28, 2008, at 1:20 PM, Hart Senate Office Building (transcript at DTS #2008-2411). Ali Soufan described events prior to Abu Zubaydah's provision of information related to the "Dirty Bomb," stating: "He was injured, badly injured. He was dehydrated. I remember we were putting ice on his lips. And he didn't have any bowel control, so we were cleaning him. And the reason I'm telling you some of these disgusting things is because it helped build rapport with the guy in this short period of time." Later, Ali Soufan described the provision of information related to the Dirty Bomb plotting, stating: "When I was going in, he was totally naked. I refused to go and interview him naked. So I took a towel. And [redacted] and I and [REDACTED], every time we went in he had to be covered or I [wouldn't] go. It's as simple as that." *See also* section of transcript stating, "So we went back. And we start talking to him. We took some Coke, tea, and we start talking about different things. We flipped him about different things, [redacted] and I and [REDACTED]. And then he came back to his senses and he started cooperating again. And this is when he gave us Padilla." (Abu Zubaydah provided information concerning the Dirty Bomb plotting and Jose Padilla's *kunya*, but did not provide the name "Jose Padilla." As described in this summary, Jose Padilla's name had already been provided to the CIA by a foreign government that identified Padilla as a U.S. citizen suspected of being engaged in possible terrorist activity.) *See also* Abu Zubaydah detainee review in Volume III.

interrogation techniques";[1316] and (4) the Intelligence Community internally assessed that the "Dirty Bomb"[1317] and "Tall Buildings"[1318] plots were infeasible as envisioned.[1319]

[1316] The Department of Justice finalized its approval of the CIA's enhanced interrogation techniques, including walling, facial slaps, wall standing, stress positions, sleep deprivation, and the waterboard, as well as other techniques, on August 1, 2002. *See* Volume I and Volume III for additional details. Beginning on August 4, 2002, and extending through August 20, 2002, Abu Zubaydah was subjected to the non-stop concurrent use of the CIA's enhanced interrogation techniques, including at least 83 applications of the waterboard. CIA records indicate that the use of the CIA's enhanced interrogation techniques ceased on August 30, 2002, when Abu Zubaydah received clothing.

[1317] *See* intelligence chronology in Volume II, to include: (1) email from: [REDACTED], [redacted]OTA/CTWG/CBRN Group; to: [REDACTED] and multiple ccs, including [redacted]; subject: "Re: [REDACTED]: Re: KSM homework on AQ nuke program"; date: April 22, 2003, at 03:30 PM, explaining CIA's CBRN group's position on Padilla and Mohammed's plotting: "Padilla and Binyam/Zouaoui had pulled an article off a satirical web site called 'How to make an H-bomb' which is based on a 1979 Journal of Irreproducible Results article. The article was intended to be humorous…"; (2) email from: [REDACTED], CTC/OTA/CBRNB; subject: "Note to Briefers Updating Zubaydah 'Uranium Device' Information"; date: April 23, 2003, at 08:25:40 PM; and (3) U.K. court records relaying that "[Binyam Mohammed] at the outset said there was no Dirty Bomb plot (a position he has consistently maintained to his defense lawyers)" (UK Judgment, at 39). According to U.K. legal records, "[Binyam Mohammed] said … that he had seen a file on a computer in Lahore and decided it was a joke – part of the instruction included adding bleach to uranium 238 in a bucket and rotating it around one's head for 45 minutes." (UK Judgment, at 11). On June 10, 2002, then-Attorney General John Ashcroft announced, "We have captured a known terrorist who was exploring a plan to build and explode a radiological dispersion device, or 'dirty bomb,' in the United States." The statement continued: "In apprehending Al Muhajir as he sought entry into the United States, we have disrupted an unfolding terrorist plot to attack the United States by exploding a radioactive 'dirty bomb.' Now, a radioactive 'dirty bomb' involves exploding a conventional bomb that not only kills victims in the immediate vicinity, but also spreads radioactive material that is highly toxic to humans and can cause mass death and injury. From information available to the United States government, we know that Abdullah Al Muhajir is an Al Qaeda operative and was exploring a plan to build and explode a radioactive dirty bomb. Let me be clear: We know from multiple independent and corroborating sources that Abdullah Al Muhajir was closely associated with Al Qaeda and that as an Al Qaeda operative he was involved in planning future terrorist attacks on innocent American civilians in the United States. …I commend the FBI, the CIA and other agencies involved in capturing Abdullah Al Muhajir before he could act on his deadly plan." *See* Transcript of the Attorney General John Ashcroft Regarding the Transfer of Abdullah Al Muhajir (Born Jose Padilla) to the Department of Defense as an Enemy Combatant, on June 10, 2002.

[1318] *See* Intelligence Community review of the Tall Buildings plotting included in CIA records with references to terrorist attacks in Russia in September 1999 against apartment buildings using traditional explosives and VBIEDs. *See also* U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives report entitled, "Use of Natural Gas as a Terrorist Weapon in Apartment Buildings," dated August 4, 2008.

[1319] The CIA's June 2013 Response acknowledges that the CIA "concluded early on" that the "dirty bomb" plot was "never operationally viable." The CIA's June 2013 Response states that "it took [the CIA] until 2007" to stop citing the "dirty bomb" plot in its representations about the effectiveness of the CIA's enhanced interrogation techniques. This is incorrect. The CIA referred to the disruption of this plotting in a representation to the Department of Justice in July 2007, in representations to Congress in late October 2007, and confirmed this information to the press in April 2009. *See* CIA fax from CIA employee [REDACTED] to U.S. Senate Committee on Appropriations, Subcommittee on Defense, with fax cover sheet entitled, "Talking points," sent on October 26, 2007, at 5:39:48 PM. Document faxed entitled, "Talking Points Appeal of the $[redacted] Million reduction in CIA/CTC's Rendition and Detention Program." *See also* the July 20, 2007, Office of Legal Counsel (OLC) memorandum, which states that "interrogations of Zubaydah—*again, once enhanced techniques were employed*—revealed two al-Qaeda operatives already in the United States and planning to destroy a high rise apartment building and to detonate a radiological bomb in Washington, D.C." (italics added). As described elsewhere in this summary and in the full Committee Study, on April 21, 2009, in response to the partial declassification of OLC memoranda that month, a CIA spokesperson confirmed the CIA stood by the "factual assertions" in the OLC memoranda. *See* "Waterboarding Saved L.A.," *Washington Times*, April 25, 2009. The CIA's June 2013 Response further states "[d]espite the imprecision of our language, we continue to assess it was a good example of the importance of intelligence derived

(~~TS//[redacted]//NF~~) Prior to the capture of Abu Zubaydah on March 28, 2002, the CIA was alerted to the threat posed by Jose Padilla. In early 2001, U.S. government records indicated that a Jose Padilla came to the U.S. Consulate in Karachi to report a lost passport. These records indicated that Jose Padilla provided a "sketchy" story about overstaying his Pakistani visa and that he was "allegedly studying Islamic law in Egypt." A search of the State Department's Consular Lookout and Support System was conducted at the time, which resulted in "multiple" hits for "Jose Padilla."[1320] State Department records confirmed that Jose Padilla had sought a new passport at the U.S. Consulate in Karachi in February 2001, and was subsequently provided with a replacement on March 21, 2001.[1321]

(~~TS//[redacted]//NF~~) On December 15, 2001, the CIA provided the FBI with documents obtained in Afghanistan from a purported al-Qa'ida-related safe house. Included in the binder were 180 terrorist training camp application forms entitled, "Mujahideen Identification Form / New Applicant Form." An application form for a then 33-year-old individual with the alias "Abu Abdullah al-Muhajir" from "America" was among the forms. "Al-Muhajir's" form—dated July 24, 2000—listed other identifying information, to include a "10/18/70" date of birth; language skills to include English, Spanish, and Arabic; travels to Egypt, Saudi Arabia, and Yemen; and the individual's marital status.[1322]

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from the detainee program." As described in this summary and throughout the full Committee Study, in its efforts to obtain legal authorization and policy approval for the CIA's enhanced interrogation techniques, the CIA represented that the intelligence referenced was obtained "as a result" of the CIA's enhanced interrogation techniques (not the "detainee program"), and that the information obtained was unique and otherwise unavailable.

[1320] The Consular Lookout and Support System (CLASS) is used by State Department passport agencies, post, and border inspection agencies to perform name checks on visa and passport applicants to identify individuals who are ineligible for issuance or require other special action. Source: www.state.gov

[1321] A February 16, 2001, email entitled, "Lost passport case- Jose Padilla," states that a "Jose Padilla," with a date of birth of October 18, 1970, came to the U.S. Consulate in Karachi to report a lost passport. The email notes that "his story is really-sketchy-been traveling here long enough to overstay his Pakistani visa, but speaks no Urdu, and is allegedly studying Islamic law in Egypt." A March 5, 2001, email in CIA records, entitled, "The continuing Jose Padilla saga!" states that there are "multiple CLASS hits" (Consular Lookout and Support System) for a Jose Padilla. The author writes "[REDACTED] and I both agree there is something sketchy about the guy." On March 21, 2001, State Department records indicate that Jose Padilla was provided with a replacement passport. *See* documents included in materials provided by the CIA to the Senate Select Committee on Intelligence, including email from: [REDACTED]; to: [REDACTED]: cc: [REDACTED]; subject: "Lost passport case- Jose Padilla"; date: February 16, 2001, at 4:46 AM, included in materials provided by the CIA to the Senate Select Committee on Intelligence; second email from: [REDACTED]; to: [REDACTED]; cc: [REDACTED]; subject: "The continuing Jose Padilla saga!"; date: March 5, 2001, at 10:09 AM; U.S. State Department travel records identified by the Department of Justice; letter from Paul Wolfowitz, U.S. Department of Defense, to James Comey, U.S. Department of Justice, dated May 28, 2004.

[1322] Italics added. Jose Padilla's fingerprints would later be found on the forms. *See* Jose Padilla U.S. court documents, which include the pledge form and a translation of the pledge form. *See also* FBI Washington 101514Z (10APR 07), "Summary Chronology of Intelligence on Jose Padilla," and email from: [REDACTED]; to: [redacted]; subject: "Pakistan Raid Evidence- Meeting with FBI SA in Pakistan at the time"; date: July 17, 2007, at 01:07 PM, which notes the raids recovered a copy of "Padilla's Muj pledge form." *See also* numerous open source articles, to include, "CIA Officer Testifies He Was Given Qaeda 'Pledge Form' Said to be Padilla's," *New York Times*, dated May 16, 2007; "Key Padilla evidence got to CIA in Afghan pickup," *Associated Press*, March 28, 2007; and "Terror Suspect's Path from Streets to Brig," *New York Times*, dated April 24, 2004. The CIA's June 2013 Response states that the CIA could not locate information on this form in CIA databases. According to testimony of a CIA officer at Jose Padilla's federal trial, the binder and other material were

(~~TS//~~ [redacted] ~~//NF~~) On April 10, 2002, the CIA disseminated a cable with intelligence derived from the exploitation of documents obtained during the raids in which Abu Zubaydah was captured. Included in the CIA cable is a translation of a letter from mid-March 2002 that references a 33-year-old English-speaking individual. The cable states that the CIA believed this individual might be involved in "a martyrdom operation." The translation disseminated states: "There is a brother from Argentina, he speaks Spanish, English and Arabic, he is 33 years old, he is married and has two little children. He is a great brother. He knows business and studies English language. He trains [in] self defense, he is a good looking man."[1323]

(~~TS//~~ [redacted] ~~//NF~~) The next day, April 11, 2002, the CIA was provided with information from Pakistani officials on a 33-year-old U.S. citizen named "Jose Padilla," with a date of birth of October 18, 1970, who was briefly detained by Pakistani officials on April 4, 2002. The Pakistani government provided a copy of Jose Padilla's U.S. passport and relayed that Jose Padilla had overstayed his travel visa, and that there were inconsistencies with Jose Padilla's appearance and accent. The CIA's [redacted] wrote that they would provide the information on "Jose Padilla" to the State Department's Regional Security Officer, and "would follow-up with [Pakistani officials] on this matter."[1324] The date of birth and travel information included with Jose Padilla's passport matched information on the "Mujahideen Identification Form" (33-year-old "American" referenced as "Abu Abdullah al-Muhajir") the CIA had provided to the FBI on December 15, 2001.[1325]

(~~TS//~~ [redacted] ~~//NF~~) On April 12, 2002, Pakistani officials provided additional information to the CIA's [redacted], specifically that they had detained a U.S. passport holder named Jose Padilla and a British passport holder named "Fouad Zouaoui" (later identified as Binyam Muhammad), who had suspiciously attempted to depart Pakistan. According to the CIA cable, Pakistani authorities provided the information on the pair "due to concerns about possible terrorist activity."[1326] The cable noted that Pakistani authorities had to release Padilla, but that Padilla's associate remained in detention.[1327] (When questioned further, the Pakistani authorities

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provided by a CIA source to CIA officers in Kandahar, Afghanistan. The CIA officer testified at Jose Padilla's trial that, after he sorted through the material, the blue binder was placed in a sealed box and provided to the FBI in Islamabad, Pakistan. *See* referenced open source reporting.

[1323] ALEC [redacted] (102327Z APR 02)

[1324] [redacted] 10972 (12031Z APR 02). As noted, the State Department already possessed information of concern related to Jose Padilla.

[1325] *See* Jose Padilla U.S. court documents, which include the pledge form and a translation of the pledge form. *See also* FBI Washington 101514Z (10APR 07), "Summary Chronology of Intelligence on Jose Padilla," and email from: [REDACTED]; to: [redacted]; subject: "Pakistan Raid Evidence- Meeting with FBI SA in Pakistan at the time"; date: July 17, 2007, at 01:07 PM, which notes the raids recovered a copy of "Padilla's Muj pledge form"; and numerous open source articles, to include, "CIA Officer Testifies He Was Given Qaeda 'Pledge Form' Said to be Padilla's," *New York Times*, dated May 16, 2007.

[1326] [redacted] 10976 (120948Z APR 02). The official cable states that the Pakistani official and his office "has not received the full details, and he is passing this onto [the CIA] [redacted] due to concerns about possible terrorist activity." The CIA's June 2013 Response states that the reporting from the Pakistani government that a Pakistan-based U.S. citizen named Jose Padilla was engaged in possible terrorist activity was "unremarkable at the time," and that the CIA viewed the report as a "routine 'illegal traveler'" report.

[1327] [redacted] 10972 (12031Z APR 02); [redacted] 10976 (120948Z APR 02)

stated that they suspected Jose Padilla of being "an al-Qa'ida member.")[1328] The information identifying Jose Padilla and "Fouad Zouaoui" as potential terrorists had been provided by the CIA's [redacted] to CIA Headquarters, several CIA Stations, and the State Department's Regional Security Officer (RSO) in Karachi by April 12, 2002.[1329] Using the identifying information in Jose Padilla's passport, provided by the Pakistani government, the CIA's [redacted] requested that CIA Headquarters and the CIA's [redacted] Station conduct "[redacted]" (a database search) using the name "Jose Padilla" and the other identifying information provided.[1330] The CIA's [redacted] requested that CIA Headquarters and the CIA's [redacted] Station do the same for Padilla's associate, Fouad Zouaoui.[1331] As a result, by April 12, 2002, the CIA was already alerted that a named U.S. citizen, "Jose Padilla," had spent significant time in Pakistan and was engaged in "possible terrorist activity."[1332]

(~~TS//[redacted]//NF~~) Eight days after the CIA was informed that U.S. citizen Jose Padilla was engaged in "possible terrorist activity," on the evening of April 20, 2002, Abu Zubaydah told FBI special agents about two men who approached him with a plan to detonate a uranium-based explosive device in the United States (the "dirty bomb"). Abu Zubaydah stated he did not believe the plan was viable and did not know the true names of the two individuals, but did provide physical descriptions of the pair.[1333] This information was acquired after Abu Zubaydah was confronted with emails that indicated Abu Zubaydah had sent two individuals to KSM.[1334] The FBI special agents who acquired this information from Abu Zubaydah believed it was provided as a result of rapport-building interrogation techniques.[1335] Abu Zubaydah would

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[1328] *See* DIRECTOR [redacted] (162003Z FEB 03), which details a follow-up exchange between [redacted] personnel and Pakistani officials.

[1329] [redacted] 10972 (120312Z APR 02); [redacted] 10976 (120948Z APR 02)

[1330] There were no records identified to indicate that the CIA informed the FBI at this time that U.S. citizen "Jose Padilla" was engaged in "possible terrorist activity." As described in Volume II, once alerted, the FBI identified links between Jose Padilla and FBI counterterrorism subjects, including an individual who reportedly paid for Jose Padilla's travel to Pakistan to attend a terrorist training camp.

[1331] [redacted] 10972 (120312Z APR 02); [redacted] 10976 (120948Z APR 02)

[1332] [redacted] 10976 (120948Z APR 02). *See* additional reporting in the Volume II intelligence chronology.

[1333] Abu Zubaydah provided the names of the individuals as Talha al-Kini and Abdallah al-Muhajir ([redacted] 10090 (210703Z APR 02)).

[1334] [redacted]; [redacted] 10063 (180515Z APR 02); [redacted] 10096 (221545Z APR 02)

[1335] *See* FBI communications to FBI Headquarters in April 2002, as well as May 13, 2009, Senate Judiciary Committee testimony of FBI Special Agent Ali Soufan on the interrogation of Abu Zubaydah. In the CIA's June 2013 Response, the CIA states the CIA's representation that Abu Zubaydah provided the information after the "use of DOJ-approved enhanced interrogation techniques" was accurate because, "Abu Zubaydah revealed this information after having been subjected to sleep deprivation, which would be categorized as an enhanced interrogation technique once the program was officially underway." As described in detail in the Abu Zubaydah detainee review in Volume III, when Abu Zubaydah was discharged from a hospital in Country [redacted], the CIA sought to deprive Abu Zubaydah of sleep and to cease Abu Zubaydah's interaction with the FBI special agents who had been interviewing Abu Zubaydah and acquiring information from him at the hospital. Days later, after this new CIA approach was implemented, the CIA reversed this decision and the FBI was allowed to question Abu Zubaydah again. Further, the use of sleep deprivation during this period differed from future uses of sleep deprivation and had ceased by the time of the referenced FBI interview, as the CIA had determined that Abu Zubaydah's ability to focus on questions and provide coherent answers appeared compromised. (*See* [redacted] 10071 (190827Z APR 02) and [redacted] 10116 (250731Z APR 02).) Ali Soufan testified that Abu Zubaydah provided information about the "Dirty Bomb" plot only after he (Soufan) re-initiated a more traditional interrogation approach with Abu Zubaydah, stating, "We then returned to using the Informed Interrogation Approach. Within a few hours, Abu Zubaydah again

not be subjected to the "use of DOJ-approved enhanced interrogation techniques" until August 2002, more than three months later.[1336]

(~~TS//[redacted]//NF~~) Within two hours of the dissemination of this information, CIA officers [redacted] sent cables to CIA Headquarters and select CIA Stations calling attention to the similarities between Abu Zubaydah's reporting and their request from April 12, 2002, for information on Jose Padilla and Fouad Zouaoui, which had not yet been acted upon by the receiving offices.[1337] A travel alert was then initiated for Jose Padilla based on the previous information provided by the Pakistani government. Padilla was located and unknowingly escorted back to the United States by an FBI special agent on May 8, 2002.[1338] Upon his arrival in the United States Padilla was found to be carrying $10,526 in U.S. currency, an amount he failed to report.[1339] Padilla was interviewed and taken into FBI custody on a

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started talking and gave us important actionable intelligence. This included the details of Jose Padilla, the so-called 'dirty bomber.'" (*See Senate Judiciary Testimony,* transcript at: http://judiciary.senate.gov/hearings/testimony.cfm?id=38428wit_id=7906.) The assertion in the CIA's June 2013 Response is incongruent with additional CIA records. *See* senior CIA analyst comments on the draft CIA Inspector General Special Review from February 10, 2004, stating: "Padilla and the dirty bomb plot was prior to enhanced and he never really gave us actionable intel to get them"; CIA draft response to Committee Questions for the Record concerning an OLC memorandum suggesting that information on Jose Padilla was acquired from Abu Zubaydah after enhanced interrogation techniques, with the CIA response stating that the CIA's [redacted] CTC Legal "[redacted] simply inadvertently reported this wrong. Abu Zubaydah provided information on Jose Padilla while being interrogated by the FBI ([redacted] 10091)"; CIA testimony from CIA Director Hayden on April 12, 2007, stating, "In August 2002, CIA began using these few and lawful interrogation techniques in the interrogation of Abu Zubaydah"; and the CIA-vetted speech by President Bush on September 6, 2006. *See also* SSCI Staff interview of FBI Special Agent Ali Soufan, April 28, 2008, at 1:20 PM, Hart Senate Office Building (Ali Soufan: "So we went back. And we start talking to him. We took some Coke, tea, and we start talking about different things. We flipped him about different things, [redacted] and I and [REDACTED]. And then he came back to his senses and he started cooperating again. And this is when he gave us Padilla.") (DTS #2008-2411).

[1336] *See* Abu Zubaydah detainee review in Volume III that details how, after Department of Justice approval in August 2002, the CIA began using the CIA's enhanced interrogation techniques against Abu Zubaydah on August 4, 2002, including the waterboard. *See also* [redacted] 10644 (201235Z AUG 02); and email from: [REDACTED]; to: [redacted] and [REDACTED]; subject: "Re: So it begins"; date: August 4, 2002, at 09:45 AM.

[1337] [redacted] 11036 (220348Z APR 02). *See also* ALEC [redacted] (220238Z APR 02); [redacted] 11041 (220802Z APR 02); and [redacted] 11042 (220921Z APR 02).

[1338] Among other documents, *see* letter from the CIA addressed to SSCI Staff Director Al Cumming, dated June 24, 2002, and entitled, "Arrest of Jose Padilla." After being detained in Pakistan, Binyam Mohammad was rendered by the CIA [redacted] July [redacted], 2002, where he was held [redacted] government. On January [redacted], 2004, Binyam Mohammad was transferred to CIA custody [redacted] 30586 [redacted]; [redacted] 1630 [redacted].

[1339] Fax from Pat Rowan, Department of Justice National Security Division to [REDACTED], at CTC Legal, on August 15, 2007 with subject line: "Jose Padilla," includes a Department of Justice memorandum that is based primarily on 29 IIRs of the joint FBI-military interrogations of Padilla disseminated from May 5, 2003, to July 9, 2003, a FBI document "Jose Padilla Debrief Summary, August 29, 2003," the FBI's 302s on Padilla (5/8/02) and Binyam Muhammad (6/4/02), an FBI EC on Padilla (5/14/02); a CIA Statement Summarizing Significant Information about Jose Padilla of 8 June 02 ['CIA Summary']; a DIA Info Memo from [redacted] (11/13/03); and an FBI LHM "Jose Padilla Debrief Status" (11/11/03). *See also* SSCI Transcript "Detention of Jose Padilla," dated June 12, 2002 (DTS #2002-2603).

material witness warrant.[1340] The exploitation of Jose Padilla's pocket litter[1341] and phone revealed significant connections to known terrorists, including subjects of FBI terrorism investigations in the United States.[1342]

(~~TS//[redacted]//NF~~) In separate debriefings, Padilla and his associate, Binyam Mohammed, maintained they had no intention of engaging in terrorist plotting, but proposed the "Dirty Bomb" plot in order to depart Pakistan, avoid combat in Afghanistan, and return home.[1343]

(~~TS//[redacted]//NF~~) Over several years CIA officers identified errors in the CIA's representations concerning the "effectiveness" of the CIA's enhanced interrogation techniques in relation to the Abu Zubaydah reporting pertaining to Jose Padilla and Padilla's alleged plotting. In response to one such representation, the chief of the Abu Zubaydah Task Force wrote to [redacted] CTC Legal in 2002 that "AZ's info alone would never have allowed us to find [Jose Padilla and Binyam Mohammed]."[1344] In 2004, she sought to correct inaccurate CIA representations again, telling colleagues:

[1340] CIA Notification, "Arrest of Jose Padilla," dated June 24, 2002 (DTS #2002-2866); WHDC [redacted] (242226Z MAR 03). Discusses information obtained by FBI officials on March 20, 2003, and SSCI Transcript "Staff Briefing by the Federal Bureau of Investigation on the Detention of Jose Padilla," dated June 11, 2002 (DTS #2002-2598).

[1341] Pocket litter refers to material acquired on a person upon a search and may include notes, identification cards, tickets, phone numbers, computer files, photographs, or any other material in the person's possession.

[1342] *See* CIA Document, Subject "CIA Statement Summarizing Significant Information About Jose Padilla {21:10 hrs.- 8 June 02}," email from [REDACTED] to [redacted] on August 2, 2002, at 3:54:17 PM, with the subject line: "Re: Padilla's travel history," and fax from Pat Rowan, Department of Justice National Security Division to [REDACTED], at CIA CTC Legal, on August 15, 2007, with subject line: "Jose Padilla." The fax includes a Department of Justice memorandum that is based primarily on 29 IIRs of the joint FBI-military interrogations of Padilla disseminated from May 5, 2003, to July 9, 2003, a FBI document "Jose Padilla Debrief Summary, August 29, 2003," the FBI's 302s on Padilla (5/8/02) and Binyam Muhammad (6/4/02), an FBI EC on Padilla (5/14/02); a CIA Statement Summarizing Significant Information about Jose Padilla of 8 June 02 ['CIA Summary']; a DIA Info Memo from [redacted] (11/13/03); and an FBI LHM "Jose Padilla Debrief Status" (11/11/03). *See also* SSCI transcript "Detention of Jose Padilla," dated June 12, 2002 (DTS #2002-2603), in which the CIA informs the SSCI that, based on his address book confiscated in [redacted], Padilla "did have connections to Islamic extremists, both within the United States and outside the U.S."

[1343] *See* Department of Justice memorandum referenced in chronology in Volume II that is based primarily on 29 IIRs of the joint FBI-military interrogations of Padilla disseminated from May 5, 2003, to July 9, 2003; a FBI document "Jose Padilla Debrief Summary, August 29, 2003," the FBI's 302s on Padilla (5/8/02) and Binyam Muhammad (6/4/02), an FBI EC on Padilla (5/14/02); a CIA Statement Summarizing Significant Information about Jose Padilla of 8 June 02 ['CIA Summary']; a DIA Info Memo from [redacted] (11/13/03); and an FBI LHM "Jose Padilla Debrief Status" (11/11/03).

[1344] *See* CIA memorandum from: [redacted]; to: [redacted]; subject: "AZ information"; date: July 10, 2002, at 01:18:50 PM. *See also* February 10, 2004, email from: [redacted]; to: [redacted]; cc: [redacted], [redacted], [redacted], [redacted], [redacted], John P. Mudd, [REDACTED], [REDACTED], [REDACTED], Jose Rodriguez, [REDACTED], [REDACTED], [redacted]; subject: Please Read -- Re CTC Response to the Draft IG Report; date: February 10, 2004. In a SSCI transcript dated June 12, 2002, entitled, "Detention of Jose Padilla" (DTS #2002-2603), the CIA acknowledged it had information on Jose Padilla prior to reporting from Abu Zubaydah. A CIA officer stated: "the Pakistani liaison felt it was important to bring [Padilla] to our attention, given the recent raids…there was enough information indicating that his travel was suspicious, to put us on alert. This suspicion was enhanced during the debriefings of Abu Zubaydah, which occurred on 21 April." This is the only known CIA representation that did not fully attribute information on Jose Padilla to CIA interrogations.

> "AZ never really gave 'this is the plot' type of information. He claimed every plot/operation he had knowledge of and/or was working on was only preliminary. (Padilla and the dirty bomb plot was prior to enhanced and he never really gave us actionable intel to get them)."[1345]

(~~TS//~~ [redacted] ~~//NF~~) In October 2005, the chief of CTC's CBRN (Chemical, Biological, Radiological, and Nuclear) Group wrote, under the heading, "Don't Put All Your Uranium in One Bucket":

> "Jose Padilla: we'll never be able to successfully expunge Padilla and the 'dirty bomb' plot from the lore of disruption, but once again I'd like to go on the record that Padilla admitted that the only reason he came up with so-called 'dirty bomb' was that he wanted to get out of Afghanistan and figured that if he came up with something spectacular, they'd finance him. Even KSM says Padilla had a screw loose. He's a petty criminal who is well-versed in US criminal justice (he's got a rap sheet as long as my arm). Anyone who believes you can build an IND or RDD by 'putting uranium in buckets and spinning them clockwise over your head to separate the uranium' is not going to advance al-Qa'ida's nuclear capabilities."[1346]

(~~TS//~~ [redacted] ~~//NF~~) CIA and other U.S. government assessments also called into question the "Tall Buildings" plotting, which was loosely based on attacks that were conducted in Moscow in September 1999 using conventional explosives. The "Tall Buildings" plotting did not envision the use of conventional explosives.[1347] Instead, the plotting envisioned using natural gas to destroy high-rise residential buildings. As planned, the Intelligence Community assessed the plotting was not viable.[1348] An August 4, 2008, U.S. government assessment stated: "On the surface, the idea is simplistic, if not amateurish… the probability of an efficient fuel air explosion is low."[1349]

(~~TS//~~ [redacted] ~~//NF~~) Jose Padilla was detained on a material witness warrant from May 8, 2002, to June 9, 2002, when he was transferred to U.S. military custody and designated an "enemy combatant." On January 3, 2006, Jose Padilla was transferred to U.S. law enforcement

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[1345] Email from: [redacted]; to: [redacted]; cc: [REDACTED], [REDACTED], [REDACTED], [REDACTED], [redacted], John P. Mudd, [REDACTED], [REDACTED], [REDACTED], Jose Rodriguez, [REDACTED], [REDACTED], [redacted]; subject: Please Read -- Re CTC Response to the Draft IG Report; date: February 10, 2004.

[1346] *See* email from: [REDACTED] C/CTC/OTA/CBRNG/RNTB; to: multiple recipients; subject: "Re: Urgent: Unclassified Fact Sheet for David Shedd"; date: October 6, 2005, at 04:35 PM.

[1347] *See* additional details in Volume II.

[1348] *See* Intelligence Community review of the Tall Buildings plotting included in CIA records with references to terrorist attacks in Russia in September 1999 against apartment buildings using traditional explosives and VBIEDs.

[1349] *See* Intelligence Community review of the Tall Buildings plotting included in CIA records with references to terrorist attacks in Russia in September 1999 against apartment buildings using traditional explosives and VBIEDs. *See also* U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives report entitled, "Use of Natural Gas as a Terrorist Weapon in Apartment Buildings," dated August 4, 2008. The latter document states that: "If the idea of the plot is to cause death and destruction on the same scale as had occurred in Russia, then Padilla's methodology comes into question. The probability of causing this magnitude of death and destruction using natural gas [versus conventional explosives] would be considerably lower."

custody and tried in federal court. On August 16, 2007, Jose Padilla and two co-defendants, Adham Hassoun and Kifah Jayyousi, were found guilty of three criminal offenses relating to terrorist support activities from October 1993 to November 1, 2001.[1350] The case against Jose Padilla centered on his attendance at a terrorist training camp in Afghanistan in the fall of 2000—specifically, the terrorist training camp application form acquired by the CIA and provided to the FBI in December 2001. The form was found to have Jose Padilla's fingerprints, as well as identifying data to include his date of birth, languages spoken, and travels.[1351] On January 22, 2008, Jose Padilla was sentenced to 17 years in prison. On September 19, 2011, the U.S. 11th Circuit Court of Appeals ruled the sentence was too lenient in part because it did not take in account Jose Padilla's prior criminal offenses.[1352]

(~~TS//~~ [redacted] ~~//NF~~) After being detained in Pakistan, Jose Padilla's associate Binyam Mohammad was rendered by the CIA [redacted] on July [redacted], 2002, where he was held by the [redacted] government. On January [redacted], 2004, Binyam Mohammad was rendered to CIA custody.[1353] On May [redacted], 2004, Binyam Mohammad was transferred to the custody of the U.S. military in Bagram, Afghanistan.[1354] On September 21, 2004, he was transferred to Guantanamo Bay, Cuba.[1355] Binyam Mohammad was then transferred from U.S. military custody to the United Kingdom on February 23, 2009. [redacted].[1356] Lawyers representing Binyam Mohammad sued the government of the United Kingdom to compel the release of documents relating to his whereabouts and treatment after his initial detention in April 2002.[1357] In February 2010, a British court compelled the release "of a summary of the torture" to which Binyam Mohammed was subjected

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[1350] ALEC [redacted] (May 17, 2002), with references to FBI WASH 150315Z, [redacted], and CIA reporting from 2001, [redacted]. Upon Jose Padilla's arrest, Padilla was found to be in possession of the phone number of Adham Hassoun, [redacted]; and providing material support to terrorists. U.S. prosecutors focused on more than 70 intercepted phone calls between the defendants during the 1990s, but provided no information at the trial related to plotting in the United States. *See* U.S. District Criminal Court Docket, Florida Southern, for defendants, including Jose Padilla, as well as open source news reports, including "Without a plot, is Padilla guilty?," *Christian Science Monitor*, dated July 19, 2007; and "The others on trial in Padilla case," *Christian Science Monitor*, dated May 29, 2007.

[1351] An Assistant U.S. Attorney involved in the prosecution stated, "The narrative is fairly clear that Padilla was recruited to go overseas to participate in jihad." *See* U.S. District Criminal Court Docket, Florida Southern, for defendants, including Jose Padilla, as well as open source news reports, including "Without a plot, is Padilla guilty?," *Christian Science Monitor*, dated July 19, 2007; and "The others on trial in Padilla case," *Christian Science Monitor*, dated May 29, 2007.

[1352] *See* open sources, to include press articles such as, "Court Says Padilla Prison Sentence Too Lenient," *Reuters*, dated September 19, 2011.

[1353] [redacted] 30586 [redacted] 1630 [redacted]

[1354] [redacted] 2335 [redacted]

[1355] [redacted] 12520 (281655Z SEP 04)

[1356] Terrorism Watch, March 10, 2009, *Guantanamo Detainee's Torture Claims Could Impact Bilateral Relationship with UK.*

[1357] [REDACTED] 3174 (311725Z JUL 08)

during his detention. In the fall of 2010, the British government awarded Binyam Mohammed a reported £1 million in compensation.[1358]

2. *The Thwarting of the Karachi Plots*

(~~TS//[redacted]//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and necessary to produce critical, otherwise unavailable intelligence, which enabled the CIA to disrupt terrorist plots, capture terrorists, and save lives. Over a period of years, the CIA provided the thwarting of the Karachi Plot(s) as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These CIA representations were inaccurate. The Karachi Plot(s) was disrupted with the confiscation of explosives and the arrests of Ammar al-Baluchi and Khallad bin Attash in April 2003. The operation and arrests were conducted unilaterally by Pakistani authorities and were unrelated to any reporting from the CIA's Detention and Interrogation Program.

(~~TS//[redacted]//NF~~) *Further Details:* The Karachi Plot(s) refers to terrorist plotting that targeted a variety of U.S. and Western interests in the Karachi area, to include the U.S. Consulate, named hotels near the airport and beach, U.S. vehicles traveling between the Consulate and the airport, U.S. diplomatic housing, U.S. personnel subject to potential sniper attacks, as well as Pakistan's Faisal Army Base.[1359] CIA records indicate the CIA became aware of the initial plotting as early as September 2002, and that it was disrupted in April 2003, when the remaining plot leaders were arrested in a unilateral operation by Pakistani authorities.[1360] While the plot leaders were captured in the process of procuring explosives, they maintained that they were still in the process of locating vehicles, a safe house, and suicide operatives at the time of their arrest.[1361]

(~~TS//[redacted]//NF~~) The thwarting of the Karachi Plot(s) is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques.[1362] Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the Karachi Plot(s) as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and capture

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[1358] Among other open sources, see "Compensation to Guantanamo detainees 'was necessary,'" *BBC News UK*, November 16, 2010.

[1359] *See* intelligence chronology in Volume II and [redacted] 11454 (3017102Z APR 03).

[1360] [redacted] 33804 (190956Z SEP 02); [REDACTED] 34513 (052246Z MAR 03); [redacted] 45028 [redacted]; DIRECTOR [redacted]

[1361] *See* intelligence chronology in Volume II, including DIRECTOR [redacted] MAY 03) and DIRECTOR [redacted] MAY 03).

[1362] The Karachi terrorist plots encompassed a variety of potential targets in the Karachi area associated with U.S. and Western interests. Although the plotting involved multiple targets, the plotting is most often referred to as the "Karachi Plot."

additional terrorists.[1363] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1364]

[1363] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005. *See also* CIA talking points for National Security Council entitled, "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques," dated March 4, 2005.

[1364] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and

(~~TS//~~ [redacted] ~~//NF~~) For example, in November 2007, the CIA prepared and provided a set of talking points to the CIA director for an "upcoming meeting with the President regarding the Waterboard Enhanced Interrogation Technique."[1365] The document includes a section entitled, "Plots Discovered as a Result of EITs," which states "reporting statistics alone will not provide a fair and accurate measure of the effectiveness of EITs." The document then provides a list of "Key Intelligence Derived through use of EITs," stating:

> "CIA's use of DOJ-approved enhanced interrogation techniques, as part of a comprehensive interrogation approach, has enabled CIA to disrupt terrorist plots… The following are examples of key intelligence collected from CIA detainee interrogations *after applying the waterboard* along with other interrogation techniques: …The Karachi Plot: This plan to conduct attacks against the US Consulate and other US interests in Pakistan was *uncovered during the initial interrogations of Khallad Bin Attash and Ammar al-Baluchi and later confirmed by KSM.*"[1366]

(~~TS//~~ [redacted] ~~//NF~~) Likewise, a CIA-prepared briefing for Vice President Cheney on the CIA's enhanced interrogation techniques in March 2005, under a section of the briefing called, "INTERROGATION RESULTS," asserts:

> "Use of DOJ-authorized *enhanced interrogation techniques*, as part of a comprehensive interrogation approach, has enabled us to disrupt terrorist plots, capture additional terrorists…The Karachi Plot: Plan to conduct attacks against the US Consulate and other US interests in Pakistan. *Plot disrupted.*

Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1365] On September 17, 2007, President Bush nominated Judge Michael Mukasey to be Attorney General of the United States. In October 2007, at his confirmation hearing before the Senate Judiciary Committee, Mukasey declined to say whether he believed waterboarding as an interrogation technique was unlawful. On October 30, 2007, Mukasey responded to written questions from the Senate Judiciary Committee on the issue of waterboarding, stating: "As described in your letter, these techniques seem over the line or, on a personal basis, repugnant to me, and would probably seem the same to many Americans. But hypotheticals are different from real life, and in any legal opinion the actual facts and circumstances are critical." (*See* October 30, 2007, Letter from Michael B. Mukasey, to Senators Patrick J. Leahy, Edward M. Kennedy, Joseph R. Biden, Jr., Herb Kohl, Dianne Feinstein, Russell D. Feingold, Charles E. Schumer, Richard J. Durbin, Benjamin L. Cardin, and Sheldon Whitehouse.) On November 6, 2007, days prior to a Senate vote to confirm Mukasey, the CIA provided a set of talking points to the CIA director for use with the President in a meeting about the CIA's use of the waterboard interrogation technique. *See* document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."

[1366] Italics added. *See* document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."

Sources: Khallad Bin Attash, Ammar al-Baluchi. KSM also provided info on the plot after we showed him capture photos of Ammar and Khallad."[1367]

(~~TS//~~ [redacted] ~~//NF~~) The CIA provided similar inaccurate representations regarding the thwarting of the Karachi Plot(s) in 17 of the 20 documents provided to policymakers and the Department of Justice between July 2003 and March 2009.[1368]

(~~TS//~~ [redacted] ~~//NF~~) A review of CIA operational cables and other documents found that the CIA's enhanced interrogation techniques—to include the waterboard—played no role in the disruption of the Karachi Plot(s). CIA records indicate that the Karachi Plot(s) was thwarted by the arrest of operatives and the interdiction of explosives by Pakistani authorities, specifically [redacted].[1369]

(~~TS//~~ [redacted] ~~//NF~~) The CIA had information regarding the Karachi terrorist plotting as early as September 11, 2002.[1370] On that day, a [redacted] raid conducted by [redacted] Pakistani authorities [redacted], of an al-Qaida safe house in Karachi, Pakistan, uncovered the "perfume letter," named as such because the term "perfumes" is used as a code word. The letter, written in May 2002, was from KSM to Hamza al-Zubayr, a known al-Qa'ida member who was killed in the raids.[1371] KSM's letter to al-Zubayr states, "Dear Brother, we have the green light for the hotels," and suggests "making it three instead of one."[1372] By early October 2002, the CIA had completed a search of the names identified in the "perfume letter" in its databases and found many of the individuals who "had assigned roles in support of the operation" were arrested by Pakistani authorities during the

[redacted]

[1367] Italics added. CIA briefing for Vice President Cheney, dated March 4, 2005, entitled, "Briefing for Vice President Cheney: CIA Detention and Interrogation Program."

[1368] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

[1369] [redacted] 45028 [redacted] and DIRECTOR [redacted]. The CIA's June 2013 Response concedes that the CIA "mischaracterized the impact of the reporting [the CIA] acquired from detainees on the Karachi plots," and acknowledges that the Karachi plotting was "thwarted by the arrest of the operatives and the interdiction of explosives by [Pakistani authorities]." The CIA does not dispute that Pakistani authorities arrested Ammar al-Baluchi and Khallad bin Attash independently, and that information from the CIA's Detention and Interrogation Program played no role in the arrests. The CIA's June 2013 Response states, however, that CIA detainee reporting "revealed ongoing attack plotting against the US official presence in Karachi that prompted the Consulate to take further steps to protect its officers." This statement is incongruent with CIA records. In response to the reporting cited by the CIA, CIA personnel in Karachi wrote: "[w]hile reporting from both [al-Baluchi and bin Attash] was chilling- [CIA officers] had become aware of most of this reporting either through previous information or through interviews of al-Baluchi and [Khallad bin] Attash prior to their transfer out of Karachi." The CIA personnel in Karachi further reassured addressees that, in December 2002, the U.S. Consulate in Karachi took increased steps to protect U.S. Consulate personnel. *See* Volume II for additional information.

[1370] For detailed information, *see* Volume II.

[1371] ALEC [redacted] (032142Z OCT 02)

[1372] [redacted] 12535 (050557Z OCT 02); [redacted] 11050 (101207Z OCT 02); [redacted]

raids.[1373] At least one person in the letter, Khallad bin Attash, a known al-Qa'ida operative, remained at large.[1374]

(~~TS//[redacted]//NF~~) What remained of the Karachi plotting was disrupted unilaterally by Pakistani authorities as a result of a criminal lead. On April [redacted], 2003, Pakistani authorities, specifically [redacted], received a report that explosives and weapons were to be transported in a pickup truck to a specific location in Karachi.[1375] Pakistani authorities made arrangements to intercede, and, on April 29, 2003, they intercepted the vehicle and confiscated explosives, detonators, and ammunition. The driver of the vehicle provided the location where the explosives were being delivered, leading to the capture of several operatives, including Ammar al-Baluchi and Khallad bin Attash, as well as to the discovery of another explosives cache. A third captured individual stated that the explosives had belonged to Hamza al-Zubayr, the known and now deceased al-Qa'ida operative, as well as others residing in the home raided on September 11, 2002, where the "perfume letter" was discovered.[1376]

(~~TS//[redacted]//NF~~) While being arrested, Ammar al-Baluchi was asked by a Pakistani officer about his intentions regarding the seized explosives. Al-Baluchi responded that he was planning to attack the U.S. Consulate in Karachi.[1377] In foreign government custody—and prior to being rendered to CIA custody and subjected to the CIA's enhanced interrogation techniques—Ammar al-Baluchi continued to provide information about the Karachi plotting to a foreign government officer who was using rapport-building interrogation techniques.[1378] The information provided by Ammar al-Baluchi on the plotting included the surveillance conducted, the envisioned targets, and the exact method of attack that was considered for the U.S. Consulate in Karachi and other hard targets. Ammar al-Baluchi discussed the use of a motorcycle with a bomb to breach the perimeter wall of the consulate and then how the operatives would seek to exploit that breach with a vehicle filled with explosives.[1379] Ammar al-Baluchi and Khallad bin

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[1373] ALEC [redacted] (0302054Z OCT 02). *See also* CIA paper dated January 11, 2002, entitled, "Threat Threads: Most 11 September Plotters Still Under the Radar."

[1374] ALEC [redacted] (0302054Z OCT 02). *See also* CIA paper dated January 11, 2002, entitled, "Threat Threads: Most 11 September Plotters Still Under the Radar."

[1375] [redacted] 45028 [redacted]. CIA records indicate the interdiction was the result of criminal leads and was unrelated to any reporting from CIA detainees. [redacted]. *See* DIRECTOR [redacted].

[1376] [redacted] 45028 [redacted]; DIRECTOR [redacted]. The CIA's June 2013 Response maintains that KSM's reporting on the thwarted "perfume letter" plotting was separate from the "plots disrupted with the arrest and interrogation of Ammar and Khallad." Because CIA records did not make this distinction, and the fact that the operations, to at least some extent, shared targets, operatives, and the same set of explosives, the operations are linked in this Study.

[1377] [redacted] 45028 [redacted]; DIRECTOR [redacted]

[1378] Given the threat to U.S. interests, CIA officers sought to participate in the interrogations. A May 2, 2003, CIA cable (*See* [redacted] 14291) states that, because of Ammar al-Baluchi's "strong reticence towards the U.S.," CIA officers were observing the foreign government interrogations of Ammar al-Baluchi via video feed. The cable notes that a foreign government officer who had developed rapport with Ammar al-Baluchi was conducting all the questioning and obtaining intelligence from Ammar al-Baluchi on the plotting against U.S. interests in Pakistan, as well as other matters.

[1379] The CIA's June 2013 Response claims that "Ammar and Khallad provided new information on other attack plans in Karachi after entering CIA custody and undergoing enhanced interrogation techniques," and that "[d]uring his first interrogation in CIA custody and after enhanced techniques commenced, [Ammar] revealed that the plan

Attash remained in foreign government custody for approximately [redacted] weeks, with Ammar al-Baluchi—and to a lesser extent bin Attash[1380]—responding to questions on a variety of matters, including the Karachi plotting.[1381]

(~~TS//~~ [redacted] ~~//NF~~) On May [redacted], 2003, Ammar al-Baluchi and Khallad bin Attash were rendered to CIA custody and immediately subjected to the CIA's enhanced interrogation techniques.[1382] The next day, the CIA disseminated two intelligence reports on the Karachi Plot(s) from the interrogations of Ammar al-Baluchi and Khallad bin Attash.[1383] The reporting relayed that: (1) al-Qa'ida was targeting Western interests in Karachi, including the U.S. Consulate and Western housing in a specific neighborhood of Karachi; and (2) the attack could have occurred as early as "late May/early June 2003," but the plotters were still in the process of finding vehicles, a safe house, and the suicide operatives at the time of their arrest.[1384] These disseminated intelligence reports were used to support CIA representations in finished intelligence products,[1385] talking points, briefing documents, and President Bush's September 6,

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was to use a motorcycle bomb and a car bomb in a single, coordinated attack at the end of May or early June, and he pointed to the location on the Consulate's perimeter wall where the attack would occur." The information in the CIA's June 2013 Response is inaccurate. Ammar al-Baluchi provided the referenced information while in foreign government custody, prior to entering CIA custody and being subjected to the CIA's enhanced interrogation techniques. Given the threat to U.S. interests, CIA officers sought to participate in the interrogations. A May 2, 2003, CIA cable ([redacted] 14291) states that, because of Ammar al-Baluchi's "strong reticence towards the U.S.," CIA officers were observing the foreign government interrogations of Ammar al-Baluchi via video feed. The cable notes that a foreign government officer who had developed rapport with Ammar al-Baluchi was conducting all the questioning and obtaining intelligence from Ammar al-Baluchi. This included information about the motorcycle-car bomb plotting against the U.S. Consulate, as well as information on plans to potentially target Westerners in a specific housing area in Karachi. According to the information obtained, surveillance by the plotters "had confirmed a U.S. presence significant enough to warrant such an attack." Ammar al-Baluchi further stated that he had considered carjacking a U.S. Consulate vehicle and loading it with explosives to target the Consulate, and elaborated on the initial idea to attack the U.S. Consulate with a helicopter, stating that he did not follow through with this idea because he believed it would take too long to train an operative for that type of attack (*see* [redacted] 14291, May 2, 2003). Later, the foreign government officer described Ammar al-Baluchi as "more chatty" than Khallad bin Attash, and detailed how, while in foreign government custody Ammar al-Baluchi "acknowledged plans to attack U.S. Consulate officials at the airport, the Consul General's Residence and the Consulate itself." The foreign government officer explained that "both the Consulate and the CG's residence" required a "tiered attack of successive car bombs which would breach the perimeter" of the targets. The foreign government officer also stated that, based on Ammar al-Baluchi's comments on his casing efforts, it was inferred that Ammar al-Baluchi had sought to target Americans at their residences in specific areas of Karachi. *See* [redacted] 19647 [redacted] APR 04).

[1380] [redacted] 14282 [redacted]. Records indicate that Khallad bin Attash was less cooperative (Ammar al-Baluchi was described as "more chatty"), but nonetheless provided information in foreign government custody on the surveillance he conducted against United States government vehicles in Karachi, among other information.

[1381] [redacted] 45028 ([redacted] APR 03); DIRECTOR [redacted] APR 03); [redacted] 14291 (May 2, 2003); [redacted] 19647 ([redacted] APR 04). CIA records indicate that Ammar al-Baluchi was providing significant information to the foreign government officer conducting the questioning who had developed rapport with Ammar al-Baluchi.

[1382] [REDACTED] 38325 [redacted]; [REDACTED] 38389 [redacted]

[1383] DIRECTOR [redacted] ([redacted] MAY 03); DIRECTOR [redacted] ([redacted] MAY 03)

[1384] DIRECTOR [redacted] ([redacted] MAY 03); DIRECTOR [redacted] ([redacted] MAY 03). DIRECTOR [redacted] noted that Khallad bin Attash indicated that they had identified one suicide operative so far.

[1385] *See* CIA speech validation efforts for the President's September 6, 2006, speech acknowledging the CIA's Detention and Interrogation Program. In the speech, President Bush stated that "Terrorists held in CIA custody… helped stop a planned attack on the U.S. consulate in Karachi using car bombs and motorcycle bombs." *See also,*

2006, speech that the Karachi Plot(s) was "thwarted," "disrupted," or "uncovered" as a result of the CIA's enhanced interrogation techniques. However, within 24 hours of the dissemination of these intelligence reports, CIA personnel in Karachi responded in an official cable that the information acquired from the CIA detainees and disseminated was already known to the CIA and U.S. Consulate officials. The cable stated:

> "[w]hile reporting from both [al-Baluchi and bin Attash] was chilling- [CIA officers] had become aware of most of this reporting either through previous information or through interviews of al-Baluchi and [Khallad bin] Attash prior to their transfer out of Karachi."[1386]

(~~TS//[redacted]//NF~~) The CIA personnel in Karachi reassured addressees that, in December 2002, [redacted] the U.S. Consulate in Karachi took increased steps to protect U.S. Consulate personnel based on similar terrorist threat reporting. According to the cable, Americans in the referenced housing area had already been vacated from the "area for several months," the potential for "attacks targeting Americans at the airport" had been "recognized several months ago," and new procedures and security measures had been put in place to minimize the risks associated with the potential terrorist attacks.[1387]

(~~TS//[redacted]//NF~~) As noted, in November 2007, the CIA prepared and provided a set of talking points to the CIA director for an "upcoming meeting with the President regarding the Waterboard Enhanced Interrogation Technique." Under a section entitled, "Plots Discovered as a Result of EITs," the document lists the "Karachi Plot," stating the disruption was the result of "key intelligence collected from CIA detainee interrogations *after applying the waterboard* along with other interrogation techniques," and that the plotting was "*uncovered* during the initial interrogations of Khallad Bin Attash and Ammar al-Baluchi and later confirmed by KSM."[1388] While Ammar al-Baluchi and Khallad bin Attash were subjected to the CIA's enhanced interrogation techniques, there are no CIA records to indicate that either was ever subjected to the CIA's waterboard interrogation technique. KSM did provide information on the plotting, but was assessed by CIA personnel to be withholding information on the plotting, more than a month after the CIA stopped using its enhanced interrogation techniques against KSM. In late April 2003, CIA interrogators confronted KSM with photographs demonstrating that Ammar al-

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among other documents, the June 2005 CIA Intelligence Assessment entitled, "Detainee Reporting Pivotal for the War Against Al-Qa'ida." CIA records indicate this document was provided to White House officials on June 1, 2005. A slightly modified version of this Intelligence Assessment was broadly disseminated within the Intelligence Community on June 3, 2005. On March 31, 2009, former Vice President Cheney requested the declassification of this Intelligence Assessment, which was publicly released with redactions on August 24, 2009. The assessment represents that "detainee reporting" resulted in the "[r]evealing of the Karachi Plots," stating: "When confronted with information provided by Ammar al-Baluchi, Khallad admitted during debriefings that al-Qa'ida was planning to attack the US Consulate in Karachi, Westerners at the Karachi Airport, and Western housing areas." The footnote for this claim cites the May [redacted], 2003, disseminated intelligence report detailing the admission made by Khallad bin Attash while being subjected to the CIA's enhanced interrogation techniques ([redacted]) as its source.

[1386] [redacted] 14510 [redacted]. This cable also stated, "As noted in several previous cables, in December 2002 [redacted] Consulate became aware of the threat to Consulate officials."

[1387] [redacted] 14510 [redacted]

[1388] Italics added. *See* document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."

Baluchi and Khallad bin Attash had been captured. When the CIA interrogators asked what Ammar al-Baluchi and Khallad bin Attash were "up to" in Karachi, KSM provided information regarding potential targets in Karachi.[1389] KSM's belated reporting prompted the CIA's ALEC Station to write a cable stating:

> "We were disappointed to see that KSM only made these new admissions of planned attacks in Pakistan after seeing the capture photographs of Ammar al-Baluchi and Khallad. We consider KSM's long-standing omission of [this] information to be a serious concern, especially as this omission may well have cost American lives had Pakistani authorities not been diligent in following up on unrelated criminal leads that led to the capture of Ammar, bin Attash, and other probable operatives involved in the attack plans… Simply put, KSM has had every opportunity to come clean on this threat and, from our optic, he deliberately withheld the information until he was confronted with evidence that we already knew about it, or soon would know about it from Ammar and Khallad… KSM's provision of the Pakistan threat reporting – only after he was made aware of the capture of the attack planners – is viewed as a clear illustration of continued and deliberate withholding of threat information which he believed had not yet been compromised." [1390]

(~~TS//~~ [redacted] ~~//NF~~) Ammar al-Baluchi, Khallad bin Attash, and KSM remained in CIA custody until their transfer to U.S. military custody at Guantanamo Bay, Cuba, in September 2006.[1391] All three remain in U.S. military custody.

3. The Thwarting of the Second Wave Plot and the Discovery of the Al-Ghuraba Group

(~~TS//~~ [redacted] ~~//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and necessary to produce critical, otherwise unavailable intelligence, which enabled the CIA to disrupt terrorist plots, capture terrorists, and save lives. Over a period of years, the CIA provided the "discovery" and/or "thwarting" of the Second Wave plotting and the "discovery" of the al-Ghuraba group as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These representations were inaccurate. The Second Wave plotting was disrupted with the arrest and identification of key individuals. The arrests and identifications

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[1389] [redacted] 11448 (301141Z APR 03); [redacted] 11454 (301710Z APR 03). As described in detail in the intelligence chronology in Volume II, KSM was rendered to CIA custody on March [redacted], 2003, and was immediately subjected to the CIA's enhanced interrogation techniques. On March 5, 2003, he was "confronted" with the "perfume letter," at which point he discussed the letter and its recipient, Hamza al-Zubayr. KSM had not yet been subjected to the waterboard. As described, Hamza al-Zubayr was killed in a September 2002 raid against al-Qa'ida-related safe houses. KSM stated that Khallad bin Attash had been responsible for obtaining operatives for the Hamza al-Zubayr operation. At the time KSM provided this information, a separate cable stated that KSM "continued to deny that he has any [knowledge of] ongoing operations." *See* [REDACTED] 34513 (052246Z MAR 03); DIRECTOR [redacted] (062312Z MAR 02); [REDACTED] 34575 (061929Z MAR 03); [redacted] 34566 (061646Z MAR 03); [redacted] 34575 [redacted]; [redacted] 34513 (052246Z MAR03).

[1390] ALEC [redacted] (022012Z MAY 03)

[1391] [redacted] 3425 (050726Z SEP 06); [redacted] 1242 (050748Z SEP 06); [redacted] 2214 (050539Z SEP 06).

were unrelated to any reporting acquired during or after the use of the CIA's enhanced interrogation techniques against CIA detainees. Likewise, the al-Ghuraba group was identified by a detainee who was not in CIA custody. CIA detainees subjected to the CIA's enhanced interrogation techniques provided significant fabricated information on both the Second Wave plotting and the al-Ghuraba group.

(~~TS//[redacted]//NF~~) *Further Details:* Al-Qa'ida's "Second Wave" plotting refers to two efforts by KSM to strike the West Coast of the United States with airplanes using non-Arab passport holders. While intelligence reporting often conflated the "Second Wave" plotting, KSM viewed the plotting as two separate efforts.[1392] Neither of the two efforts was assessed to be imminent, as KSM was still engaged in the process of identifying suicide operatives and obtaining pilot training for potential participants when each effort was disrupted through the arrest or identification of the suspected operatives and operational planners.[1393]

(~~TS//[redacted]//NF~~) The al-Ghuraba student group was established in late 1999 by Jemaah Islamiyah (JI) leaders primarily to educate the sons of jailed JI leaders and to groom the students for potential leadership and operational roles in JI. Some members of the al-Ghuraba group reportedly completed militant training in Afghanistan and Pakistan while enrolled at Islamic universities in Karachi.[1394] Despite CIA representations to the contrary, intelligence and

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[1392] *See* Second Wave / Al-Ghuraba Group intelligence chronology in Volume II, including, among other documents, DIRECTOR [redacted] (20211Z JUN 03) and cable note on "Draft Intel: KSM Details his Thinking on and Efforts to Target California," included as an attachment to an email from [redacted] to a distribution list for CIA OTA in the Directorate of Intelligence, dated June 30, 2003, at 06:25 PM.

[1393] *See* intelligence chronology in Volume II for detailed information. *See also* statements by United States government officials, such as a February 9, 2006, White House briefing on "the West Coast Terrorist Plot by Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism." At this briefing the White House emphasized how "collaboration with our international partners" had "disrupted terrorist networks around the world and serious al-Qaeda plots." Using the "West Coast" plot as an example, Townsend stated that: "Khalid Shaykh Mohammed was the individual who led this effort. …The cell leader was arrested in February of 2002, and as we begin—at that point, the other members of the cell believed that the West Coast plot had been cancelled [and] was not going forward… the lead guy is arrested, which disrupts it in February of '02." When asked about whether this plotting could be accurately described as a disruption given the belief by some that "it never got far enough to be disrupted," Townsend stated, "there is no question in my mind that this is a disruption." *See also* May 23, 2007, White House Press Release, entitled, "Fact Sheet: Keeping America Safe From Attack," which states, "We Also Broke Up Other Post-9/11 Aviation Plots. In 2002, we broke up a plot by KSM to hijack an airplane and fly it into the tallest building on the West Coast." As described in the Study, KSM was not detained until March 1, 2003. The CIA's June 2013 Response acknowledges that "[t]he Study correctly points out that we erred when we represented that we 'learned' of the Second Wave plotting from KSM and 'learned' of the operational cell comprised of students from Hambali." The CIA's June 2013 Response describes the inaccurate representation as "imprecision" by the CIA, but nonetheless states that the CIA "continue(s) to assess this was a good example of the importance of intelligence derived from the detainee program"; and contends—for the first time—that Hambali's capture "was a critical factor in the disruption of al-Qa'ida's plan to conduct a 'Second Wave' attack." As described throughout the Committee Study, in its efforts to obtain legal authorization and policy approval for the CIA's enhanced interrogation techniques, the CIA represented that the intelligence referenced was obtained "as a result" of the CIA's enhanced interrogation techniques (not the "detainee program"), and that the information obtained was unique and otherwise unavailable. As detailed in this summary and in Volume II, the capture of Hambali was unrelated to the use of the CIA's enhanced interrogation techniques.

[1394] Reporting indicates that the al-Ghuraba group was similar to the Pan Islamic Party of Malaysia (PAS)'s Masapakindo, aka Pakindo, organization. Masran bin Arshad was connected to Pakindo, and while in foreign government custody, explained that "in 1991, PAS [Pan Islamic Party of Malaysia] established a secret Malaysian

open source reporting indicate the group was not "tasked with," witting, or involved in any aspect of KSM's Second Wave plotting.[1395]

(~~TS//~~ [redacted] ~~//NF~~) The "discovery" and disruption of the "Second Wave Plot" (also known as the "West Coast Plot" and the "Tallest Building Plot"),[1396] along with the associated identification, discovery, and capture of the al-Ghuraba "cell," is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of CIA's enhanced interrogation techniques.[1397] Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the thwarting and discovery of the "Second Wave" plotting and the identification, discovery, or arrest of the al-Ghuraba group members as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt

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Student Association known as 'Masapakindo' to help facilitate a steady pipeline of PAS religious and military trainees traveling from Malaysia to Pakistan, sometimes continuing on to Afghanistan, but ultimately returning to Malaysia. This student association for children of PAS members also was intended to serve as a general support structure for PAS students who were undergoing Islamic religious training in Pakistan and India. Masapakindo's headquarters was based in Karachi, Pakistan." *See also* February 27, 2004, Memorandum for CIA Inspector General from James L. Pavitt, CIA Deputy Director for Operations, entitled "Comments to Draft IG Special Review, Counterterrorism Detention and Interrogation Program," which contains a February 24, 2004, attachment entitled, "Successes of CIA's Counterterrorism Detention and Interrogation Activities." *See also* CIA Intelligence Product entitled, "Jemaah Islamiya: Counterterrorism Scrutiny Limiting Extremist Agenda in Pakistan," dated April 18, 2008. Although this report makes numerous references to the al-Ghuraba group, it does not reference the group's potential engagement in KSM's Second Wave attack. As described in this summary, and in greater detail in Volume II, contrary to CIA representations, a wide body of intelligence reporting indicates that the al-Ghuraba group was not "discovered" as a result of KSM's reporting, nor was the al-Ghuraba group "tasked" with, or witting of, any aspect of KSM's "Second Wave" plotting. *See also* KSM and Hambali reporting from October 2003, and the intelligence chronology in Volume II, to include [REDACTED] 45915 (141431Z SEP 03).

[1395] Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May be Used in the Interrogation of High Value Al Qaeda Detainees. The memorandum states: "Use of enhanced techniques, however, led to critical, actionable intelligence such as the discovery of the Guraba Cell, which was tasked with executing KSM's planned Second Wave attacks against Los Angeles."

[1396] References to the "Second Wave" attacks appeared in public news reports shortly after September 11, 2001, sometimes in reference to Zacarias Moussaoui. *See,* for example, *The Washington Post*, "Suspected Planner of 9/11 Attacks Captured in Pakistan after Gunfight" (09/14/2002) ("Some investigators have theorized that Moussaoui, whose laptop computer contained information about crop dusting, may have been part of a second wave of terror attacks or a back-up plan instead."); *The New York Post*, "2nd Plot Tied to Moussaoui" (09/06/2002) ("French officials reportedly are claiming that Zacarias Moussaoui was never meant to be the '20th hijacker' but was to be part of a 'second wave' of terror."); *The Los Angeles Times*, "Officials Skeptical as Detainees Say Sept. 11 was First in a Trio" (10/01/2002) ("The Sept. 11 attacks may have been planned as the first of three terrorist strikes in the United States, each progressively bigger and more devastating than the last, U.S. officials said Monday, citing recent interviews with captured Al Qaeda operatives. . . . Since days after Sept. 11, authorities have said they were concerned about a possible 'second wave' of attacks."). Similarly, on May 6, 2006, an affidavit filed by Moussaoui stated, "I was part of another al-Qaeda plot which was to occur after September 11, 2001."

[1397] A November 21, 2005, *Newsweek* article entitled, "The Debate Over Torture," referenced a member of the Senate Select Committee on Intelligence stating that "enhanced interrogation techniques" worked with KSM to thwart an al-Qa'ida terrorist plot, which the magazine indicated was the "Second Wave" plot. The article included the following: "A career CIA official involved with interrogation policy cautioned *Newsweek* not to put too much credence in such claims. 'Whatever briefing they got was probably not truthful,' said the official, who did not wish to be identified discussing sensitive matters."

terrorist plots" and "capture additional terrorists."[1398] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1399]

[1398] Italics in original. March 2, 2005, Memorandum for Steve Bradbury from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, document entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques."

[1399] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid

(~~TS//[redacted]//NF~~) For example, in November 2007, the CIA prepared a briefing for President Bush. Under a section entitled, "Plots Discovered as a Result of EITs," the CIA represented that the CIA "*learned*" about the "Second Wave" plotting and the al-Ghuraba group only "after applying the waterboard along with other interrogation techniques."[1400]

(~~TS//[redacted]//NF~~) Likewise, on March 2, 2005, the CIA provided the Department of Justice Office of Legal Counsel (OLC) with a document entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques." The CIA memorandum stated that the "Central Intelligence Agency can advise you that this program works and the techniques are effective in producing foreign intelligence."[1401] The CIA stated that "enhanced interrogation techniques… [have] enabled CIA to disrupt plots" and "capture additional terrorists." The document then listed 11 examples of "key intelligence collected from HVD interrogations *after* applying interrogation techniques,"[1402] including:

> "The 'Second Wave': This was a KSM plot to use East Asian operatives to crash a hijacked airliner into the tallest building on the US West Coast (Los Angeles) as a follow-on to 9/11. *We learned this during the initial interrogation of KSM* and later confirmed it through the interrogation of Hambali and Khallad.
>
> …The Guraba Cell: *We learned of this 17-member Jemaah Islamiyah cell from Hambali*, who confirmed that some of the cell's operatives were identified as candidates to train as pilots as part of KSM's 'second wave' attack against the US…."[1403]

Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1400] Italics added. "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting." CIA records indicate that Hambali was not subjected to the CIA's waterboard technique.

[1401] March 2, 2005, Memorandum for Steve Bradbury from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, document entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques." Under a section entitled, "Results," the CIA "Effectiveness Memo" states that the "CIA's use of DOJ-approved enhanced interrogation techniques, as part of a comprehensive interrogation approach, has enabled CIA to disrupt terrorist plots, capture additional terrorists, and collect a high volume of critical intelligence on al-Qa'ida. We believe that intelligence acquired from these interrogations has been a key reason why al-Qa'ida has failed to launch a spectacular attack in the West since 11 September 2001."

[1402] Italics in original.

[1403] Italics added. March 2, 2005, Memorandum for Steve Bradbury from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, document entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques." The same representation can be found in multiple documents, including "Briefing for Chief of Staff to

(~~TS//[redacted]//NF~~) The ensuing May 30, 2005, OLC memorandum, now declassified and publicly available, states:

> "[The CIA has] informed us that the interrogation of KSM—once [enhanced] interrogation techniques were employed—led to the *discovery* of a KSM plot, the 'Second Wave'…and the *discovery* of the Ghuraba Cell, a 17-member Jemaah Islamiyah cell *tasked with executing the 'Second Wave.'*"[1404]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the "discovery" and thwarting of the Second Wave plotting and/or the "discovery" of the al-Ghuraba Group in 18 of the 20 documents provided to senior policymakers and the Department of Justice between July 2003 and March 2009.[1405]

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other documents found that the CIA's enhanced interrogation techniques played no role in the "discovery" or thwarting of either "Second Wave" plot. Likewise, records indicate that the CIA's enhanced interrogation techniques played no role in the "discovery" of a 17-member "cell tasked with executing the 'Second Wave.'"[1406]

(~~TS//[redacted]//NF~~) Intelligence Community records indicate that the initial "Second Wave" effort began in parallel with the planning for the September 11, 2001, attacks and included two operatives who were tasked with seeking pilot training. The thwarting of this plotting was unrelated to the use of the CIA's enhanced interrogation techniques. The two operatives, Zacarias Moussaoui and Faruq al-Tunisi (aka Abderraouf Jdey), were known to be engaged in terrorist activity prior to any reporting from CIA detainees.[1407] On August 16, 2001,

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the President Josh Bolten: CIA Rendition, Detention, and Interrogation Programs," dated May 2, 2006; as well as "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Interrogation (HVDI) Techniques," dated March 2, 2005.

[1404] Italics added. Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May be Used in the Interrogation of High Value Al Qaeda Detainees. The memorandum states: "It is this paramount interest [the security of the nation] that the Government seeks to vindicate through the interrogation program. Indeed, the program, which the CIA believes 'has been a key reason why al-Qa'ida has failed to launch a spectacular attack in the West since 11 September 2001,' directly furthers that interest, producing substantial quantities of otherwise unavailable actionable intelligence. As detailed above, ordinary interrogation techniques had little effect on either KSM or Zubaydah. Use of enhanced techniques, however, led to critical, actionable intelligence such as the discovery of the Guraba Cell, which was tasked with executing KSM's planned Second Wave attacks against Los Angeles."

[1405] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

[1406] Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May be Used in the Interrogation of High Value Al Qaeda Detainees.

[1407] *See* detailed reporting in the Second Wave / Al-Ghuraba Group intelligence chronology in Volume II of the Study, including [redacted] and [redacted].

Zacarias Moussaoui, a French citizen, was arrested on immigration charges by the FBI in Minnesota.[1408] At the time of his arrest, the FBI informed the CIA that the FBI considered Moussaoui to be a "suspected airline suicide attacker."[1409] On January 17, 2002, the FBI publicly released a statement identifying Faruq al-Tunisi, aka Abderraouf Jdey, a Canadian citizen, as an al-Qa'ida operative possibly "prepared to commit future suicide terrorist attacks."[1410] Intelligence indicates that al-Tunisi, who remains at large, withdrew from participating in al-Qa'ida operations.[1411] His whereabouts remain unknown.[1412]

(~~TS//~~ [redacted] ~~//NF~~) The subsequent "Second Wave" effort began with KSM's tasking of several Malaysian nationals—led by Masran bin Arshad—in late 2001 to attack the "tallest building in California" using shoe-bomb explosive devices to gain access to a plane's cockpit.[1413] The thwarting of this plotting was also unrelated to the use of the CIA's enhanced interrogation techniques. This plot was disrupted with the arrest of Masran bin Arshad in January 2002. This arrest was unrelated to CIA detainee reporting.[1414] Bin Arshad claimed the effort had "not advanced beyond the initial planning stages" when KSM "shelve[d] the plan" in December 2001 when Richard Reid exposed the "shoe bomb" explosive method.[1415] Beginning in July 2002, while in the custody of a foreign government, and after the extensive use of rapport-building interrogation techniques,[1416] bin Arshad provided detailed information on this "Second Wave"

[1408] August 18, 2001, FBI Minneapolis Field Officer Memorandum referenced in Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, by the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. Zacarias Moussaoui was later convicted of terrorism-related offenses, and sentenced to life in prison. *See* Department of Justice, Office of the Inspector General, "A Review of the FBI's Handling of Intelligence Information Related to the September 11 Attacks," dated November 2004, and released publicly in June 2006, among other sources. *See also* other open source records, including November 20, 2007, *Associated Press* article entitled, "Judge in 9/11 Conspirator Moussaoui's Case Questions Government Evidence in Terrorism Trials." The article states: Judge "Brinkema said she no longer feels confident relying on those government briefs, particularly since prosecutors admitted last week that similar representations made in the Moussaoui case were false. In a letter made public Nov 13, [2007], prosecutors in the Moussaoui case admitted to Brinkema that the CIA had wrongly assured her that no videotapes or audiotapes existed of interrogations of certain-high profile terrorism detainees. In fact, two such videotapes and one audio tape existed."

[1409] August 25, 2001, CIA Headquarters cable referenced by the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence investigations, as well as the Twelfth Public Hearing on the "National Commission on Terrorist Attacks Upon the United States," June 16, 2004.

[1410] January 17, 2002, Federal Bureau of Investigation public release.

[1411] Zacarias Moussaoui was arrested on August 16, 2001. Intelligence indicates Faruq al-Tunisi withdrew from al-Qa'ida operations. Faruq al-Tunisi remains a fugitive [redacted]

[1412] ALEC [redacted] (151618Z OCT 03); [redacted]

[1413] Although the operation was disrupted with his arrest, bin Arshad claimed to officers of a foreign government that the operation was halted prior to his detention, specifically, when Richard Reid's shoe-bomb explosive concealment method was uncovered in December 2001. *See* DIRECTOR [redacted] (270238Z FEB 03).

[1414] *See* intelligence chronology in Volume II.

[1415] CIA [redacted] 65903 [redacted] 65902 [redacted]; DIRECTOR [redacted]

[1416] After bin Arshad was rendered from [redacted] [Country 1] to [redacted] [Country 2] for questioning, [redacted] [Country 2 officials] acquired a "negligible amount of intelligence" from bin Arshad, and he was eventually [redacted] to [redacted] [Country 3]. The cable stated, "[redacted] [Country 1 authorities] indicate[d] that [Masran bin Arshad] was the toughest subject they had ever interrogated, including [redacted] terrorists." In anticipation of the release of an August 8, 2002, CIA intelligence report describing new information Masran bin Arshad was providing, the CIA [redacted] in [redacted] [Country 3] sent a cable to CIA Headquarters, which stated: "In light of the attention

plotting, the Malaysian operatives (details on Affifi, Lillie, and "Tawfiq"), and the proposed method of attack.[1417] This information would later be corroborated by other intelligence collection, including, to a limited extent, reporting from CIA detainees in the spring of 2003.[1418] Another Malaysian national associated with Masran bin Arshad, Zaini Zakaria, was identified by a foreign government as a potential operative seeking pilot training as early as July 2002.[1419] Zakaria was tasked with obtaining such training by al-Qa'ida, but failed to follow through with the tasking.[1420] Zakaria turned himself in to Malaysian authorities on December 18, 2002. Malaysian authorities released Zakaria in February 2009.[1421] In 2006, in a White House briefing on the "West Coast Terrorist Plot," the Assistant to the President for Homeland Security and Counterterrorism announced that the plot had been disrupted with the arrest of the cell leader, Masran bin Arshad.[1422]

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that this report is likely to generate among consumers, it probably warrants reiterating that the interrogation methods being used with Masran [by the [redacted] Police [redacted]] are somewhat unconventional…This has entailed having several [Country 3 officers] spend an enormous amount of time with Masran praying with him, eating with him, earning his trust, listening to him, and eliciting from him. This approach has yielded a significant amount of valuable intelligence." (*See* [redacted] 65903 [redacted].

[1417] CIA [redacted]; [redacted] 65903 [redacted]; [redacted] 65902 [redacted].) CIA suspicions that "Tawfiq" may be identifiable with Mohd Farik bin Amin, aka Zaid, aka Zubair, are found in ALEC [redacted] (192004Z JUN 03).

[1418] *See* Second Wave/al-Ghuraba Group intelligence chronology in Volume II, including DIRECTOR [redacted] (082328Z JUL 03) and [redacted].

[1419] *See* Second Wave/al-Ghuraba Group intelligence chronology in Volume II, including CIA [redacted] (221647Z JUL 02).

[1420] Among other reports, *see* DIRECTOR [redacted] (082328Z JUL 03), [redacted], CIA [redacted] (221647Z JUL 02), and [redacted] 45325 (051614Z SEP 03). According to KSM, an individual named "Mussa," which the CIA assessed was KSM's name for Zaini Zakaria, disappeared after receiving money that was intended for pilot training. Reporting indicates that Zakaria—a Malaysian—was to be the pilot for the group of Malaysian individuals that Masran bin Arshad sought to use in the Second Wave plotting. As noted in the text, Zakaria turned himself into Malaysian authorities on December 18, 2002. Hambali—who was associated with these Malaysians—stated he "did not know why the operation was cancelled," but surmised it might be because of the September 11, 2001, attacks, or because Zaini Zakaria "got cold feet." Hambali reported in September 2003 that the head of the operation was Masran bin Arshad and that Zaini Zakaria was the pilot selected to fly the airplane. Hambali corroborated Masran bin Arshad's reporting that the other members of the group were Mohd Farik bin Amin (aka Zubair), Abd Al-Rahman bin Mustapha Afifi, and Bashir bin Lap Nazri (aka Lillie). By the time of Hambali's capture, all three were in custody. *See* DIRECTOR [redacted] (042340Z SEP 03)/[redacted].

[1421] [redacted] 10044 (260718Z AUG 04). *See also* DIRECTOR [redacted] (181840Z MAY 07) and "Malaysia Frees Suspected Al Qaeda Pilot-Report," *Reuters*, dated February 14, 2009.

[1422] As described, on February 9, 2006, in a White House briefing on "the West Coast Terrorist Plot by Frances Fragos Townsend, Assistant to the President for Homeland Security and Counterterrorism," the White House emphasized how "collaboration with our international partners" had "disrupted terrorist networks around the world and serious al-Qaeda plots." Using the "West Coast" plot as an example, Townsend relayed that: "Khalid Shaykh Mohammed was the individual who led this effort. …The cell leader was arrested in February of 2002, and as we begin—at that point, the other members of the cell believed that the West Coast plot had been cancelled [and] was not going forward…the lead guy is arrested, which disrupts it in February of '02." When asked about whether this plotting could be credited as a disruption given the belief by some that "it never got far enough to be disrupted," Townsend stated, "there is no question in my mind that this is a disruption." *See also* May 23, 2007, White House Press Release, entitled, "Fact Sheet: Keeping America Safe From Attack," which states "We Also Broke Up Other Post 9/11 Aviation Plots. In 2002, we broke up a plot by KSM to hijack an airplane and fly it into the tallest building on the West Coast." The CIA's June 2013 Response acknowledges that operatives involved in the "Second Wave" plot were arrested in 2002. The CIA's June 2013 Response nonetheless contends that "Hambali remained capable of directing the plot at the time of his arrest," and that, therefore, the arrest of Hambali "was a critical factor in the disruption of al-Qa'ida's plan." There are no CIA records indicating that Hambali took any action in

(~~TS//[redacted]//NF~~) Contrary to CIA representations, the use of the CIA's enhanced interrogation techniques against KSM did not result in the "discovery" of KSM's "Second Wave" plotting. On March 1, 2003, KSM was captured. He was rendered to CIA custody on March [redacted], 2003, and was immediately subjected to the CIA's enhanced interrogation techniques. While being subjected to the CIA's enhanced interrogation techniques, and in the weeks afterwards, KSM did not discuss the "Second Wave" plotting.[1423] On April 19, 2003—24 days after the use of the CIA's enhanced interrogation techniques had ceased—interrogators questioned KSM about Masran bin Arshad and his role in developing a cell for the "Second Wave" attacks. After being told that Masran bin Arshad had been arrested, KSM told his interrogators, "I have forgotten about him, he is not in my mind at all." KSM also denied that "he knew anything about a plot to take out the 'tallest building' in California."[1424] KSM's reporting prompted ALEC Station to write in a cable that "we remain concerned that KSM's progression towards full debriefing status is not yet apparent where it counts most, in relation to threats to US interests, especially inside CONUS."[1425]

(~~TS//[redacted]//NF~~) According to a CIA cable, on May 5, 2003, KSM "eventually admitted to tasking Masran bin Arshad to target the tallest building in California."[1426] KSM continued, however, to deny aspects of the plotting—such as denying the use of shoe-bombs in the operation, only to confirm the planned use of shoe-bombs in later interrogations.[1427] On June 23, 2003, an ALEC Station officer wrote that "[g]iven that KSM only admitted knowledge of this operation upon learning of Masran's detention, we assess he is not telling all he knows, but rather is providing information he believes we already possess."[1428] KSM was asked about detained Malaysian national Zaini Zakaria for the first time on July 3, 2003. During the interrogation, the CIA debriefer stated that there was information suggesting that Zakaria was funded by al-Qa'ida to take flight lessons in September 2001.[1429] KSM denied knowing the name Zaini Zakaria, but later described "Mussa." The CIA suspected this was an alias for Zakaria. CIA officers at the detention site where KSM was being interrogated then wrote in a cable, "[t]he core problem, once again, is the appearance that KSM gave up this critical information only after being presented with the idea that we might already know something about it."[1430]

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furtherance of the plotting. Further, a November 2003 cable states that CIA interrogators believed Hambali's role in al-Qa'ida terrorist activity was more limited than the CIA had assessed prior to his capture and that al-Qa'ida members did not consider Hambali "capable of leading an effort to plan, orchestrate and execute complicated operations on his own." (*See* [redacted] 1113 (111252Z NOV 03).) The claim in the CIA's June 2013 Response that the capture of Hambali "resulted in large part from information obtained from" KSM is inaccurate. Details on the capture of Hambali are described elsewhere in this summary and in greater detail in Volume II.

[1423] *See* [redacted] 10983 (242321Z MAR 03); [redacted] 10972 (241122Z MAR 03); and the KSM detainee review in Volume III.

[1424] [redacted] 11319 (191445Z APR 03), disseminated as [redacted]

[1425] ALEC [redacted] (222153Z APR 03)

[1426] [redacted] 11513 (051120Z MAY 03)

[1427] [redacted] 12068 (201407Z JUN 03); [redacted] 12167 (301747Z JUN 03), disseminated as [redacted]

[1428] Email from: [REDACTED]; to: [REDACTED], [redacted], [redacted], [redacted], [redacted], [REDACTED], [REDACTED]; subject: Highlight for Coord: KSM and Los Angeles Threat Reporting; date: June 23, 2003, at 02:21 PM.

[1429] [redacted] 12208 (051545Z JUL 03), disseminated as [redacted]

[1430] [redacted] 12208 (051545Z JUL 03), disseminated as [redacted]

(~~TS//~~ [redacted] ~~//NF~~) With regard to the al-Ghuraba group, contrary to CIA representations, a wide body of intelligence reporting indicates that the al-Ghuraba group was not "discovered" as a result of reporting from KSM or Hambali, nor was the al-Ghuraba group "tasked" with, or witting of, any aspect of KSM's "Second Wave" plotting.[1431] Rather, while in foreign government custody, Hambali's brother, Gun Gun Ruswan Gunawan, identified "a group of Malaysian and Indonesian students in Karachi" witting of Gunawan's affiliation with Jemaah Islamiyah.[1432] CIA records indicate that Gunawan stated that the students were in Karachi "at the request of Hambali."[1433] In a cable conveying this information, CIA officers recalled intelligence reporting indicating KSM planned to use Malaysians in the "next wave of attacks," and stated Gunawan had just identified "a group of 16 individuals, most all of whom are Malaysians."[1434] The cable closed by stating, "we need to question Hambali if this collection is part of his 'next wave' cell."[1435] (From July through December 2002, foreign government reporting described KSM's use of Malaysians in the "next wave attacks." The reporting

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[1431] March 2, 2005, Memorandum for Steve Bradbury from [redacted], [redacted] Legal Group, DCI Counterterrorist Center, document entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques." The same representation can be found in multiple documents, including "Briefing for Chief of Staff to the President Josh Bolten: CIA Rendition, Detention, and Interrogation Programs" dated May 2, 2006, as well as "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Interrogation (HVDI) Techniques," dated March 2, 2005. As noted earlier, the CIA's June 2013 Response acknowledges that the CIA's representations on how the CIA first learned of the group were inaccurate. *See* intelligence chronology in Volume II for detailed information on this matter.

[1432] [redacted] 15359 [redacted]. As detailed in Volume II, while still in foreign government custody, Hambali stated he had a brother named "Ruswan Gunawan" who attended Abu Bakr University in Karachi and lived in a dormitory on or near the campus. According to Hambali, his brother served as his "primary conduit for communications" with KSM and al-Qa'ida. The information that Hambali provided regarding the true name of his brother was relayed to CIA Headquarters and to CIA personnel in Pakistan and elsewhere on August 15, 2003. The cable stated that, while Hambali was in foreign government custody, the CIA "learned that" Hambali had a 25-year-old-brother at Abu Bakr University in Karachi named "Rusman Gunawan." According to Hambali, the brother lived in a dormitory near campus. [redacted] responded that this was "actionable intelligence that may help" [redacted] locate Gunawan and that [redacted] would check records of the students at Abu Bakr University for matches to Gunawan. Previous checks for names provided by KSM and other CIA detainees for Hambali's brother ("Abdul Hadi") did not result in matches or locational information. The Director of the CIA Counterterrorism Center subsequently authorized the capture and detention of Hambali's brother based on the information Hambali had provided in foreign government custody. Thereafter, CIA personnel in [redacted] began working to facilitate the capture of Gunawan by Pakistani authorities. Days later, a CIA cable referenced information on the probable location of Ruswan Gunawan and described [redacted] *See* intelligence chronology in Volume II for details, including [redacted] 87551 (150731Z AUG 03); [redacted] 87552 (150738Z AUG 03); [redacted] 15108 (161148Z AUG 03); ALEC [redacted] (181711Z AUG 03); [redacted] 15173 (251117Z AUG 03); ALEC [redacted] (011729Z SEP 03); and [redacted] 15243 (020259Z SEP 03).

[1433] [redacted] 15359 [redacted]. The cable closes by stating that Gunawan suggested the interrogators ask Hambali about the 17-member group, "now that we can confront him with [Gunawan] having unmasked the group." The cable added that the Pakistani government would not allow the members of the student group to depart Pakistan and that "confronting Hambali with [the information on the 17-member group] should also be interesting."

[1434] [redacted] 15359 [redacted]. Records indicate that it was this initial analysis that led the CIA to consider the group part of KSM's "Second Wave" "cell." It is unknown if these CIA officers were aware of Masran bin Arshad's reporting on his team of Malaysian nationals initially tasked with conducting an attack against the "tallest building in California" using shoe-bomb explosive devices to gain access to a plane's cockpit. *See* DIRECTOR [redacted] (270238Z FEB 03).

[1435] [redacted] 15359 [redacted]

included Masran bin Arshad's information, provided while he was in foreign government custody, on his four-person Malaysian cell tasked by KSM[1436] to be part of an operation targeting the West Coast of the United States, as well as July 2002 reporting on Malaysian national Zaini Zakaria seeking pilot training.[1437])

(~~TS//~~ [redacted] ~~//NF~~) Contrary to CIA representations, the use of the CIA's enhanced interrogation techniques against Hambali did not result in the "discovery" of "the Guraba Cell" that was "tasked with executing the 'Second Wave'" plotting. As noted, in foreign government custody, Hambali's brother, Gun Gun Ruswan Gunawan, identified "a group of Malaysian and Indonesian students in Karachi" witting of Gunawan's affiliation with Jemaah Islamiyah.[1438] The cable conveying this information recommended "confronting Hambali" with this information.[1439] While being subjected to the CIA's enhanced interrogation techniques, Hambali was questioned about the al-Ghuraba group and KSM's effort to use airplanes to attack the United States. Hambali told his CIA interrogators "that some of the members of [the al-Ghuraba group] were destined to work for al-Qa'ida if everything had gone according to plan," that one member of the group had "ambitions to become a pilot," that he (Hambali) was going to send three individuals to KSM in response to KSM's "tasking to find pilot candidates, but never got around to asking these people," and that "KSM told him to provide as many pilots as he could."[1440] Months later, on November 30, 2003, after three weeks of being questioned by a

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[1436] In October 2003, KSM informed the CIA that "he did not yet view the [al-Ghuraba] group as an operational pool from which to draft operatives," and noted even those who had received military training were not ready to be considered for "ongoing planning." *See* [redacted] 10223 (221317Z OCT 03) and [redacted].

[1437] *See* intelligence chronology in Volume II, including CIA [redacted]; 65903 [redacted]; and [redacted] 65902 [redacted]. The four members of the Malaysian cell were not members of the al-Ghuraba group.

[1438] [redacted] 15359

[1439] [redacted] 15359 [redacted]. As described, the cable closes by stating that Gunawan suggested the interrogators ask Hambali about the 17-member group, "now that we can confront him with [Gunawan] having unmasked the group." The cable added that the Pakistani government would not allow the members of the student group to depart Pakistan and that "confronting Hambali with [the information on the 17-member group] should also be interesting."

[1440] *See* [REDACTED] 45953 (151241Z SEP 03) and [REDACTED] 1323 (161749Z SEP 03). CIA cables describe how Hambali was repeatedly questioned on this issue while being subjected to the CIA's enhanced interrogation techniques. A CIA cable states: "With the gradual ramp-up of intensity of the session and the use of the enhanced measures, [Hambali] finally stepped over the line and provided the information." Months later Hambali admitted to fabricating the information provided. A cable explained that Hambali "gave answers that were similar to what was being asked and what he inferred the interrogator or debriefer wanted, and when the pressure subsided or he was told that the information he gave was okay, [Hambali] knew that he had provided the answer that was being sought." (*See* [redacted] 1142 (November 30, 2003), [redacted] 1144 (010823Z DEC 03).) The CIA represented in the February 2004 Pavitt memo to the CIA Inspector General, among other documents, that "as a result of the lawful use of EITs, Hambali provided information [on the al-Ghuraba group]… some of whom had been designated as the pilots" for the Second Wave attacks. The CIA's June 2013 Response indicates that the CIA continues to assess that multiple al-Ghuraba members had an "interest in aircraft and aviation." CIA records do not support this assertion. While one member of the al-Ghuraba group was interested in airplanes, [redacted] [a specific al-Ghuraba group member, Person 1], intelligence indicates that the interest was unrelated to terrorist activity. (*See* intelligence chronology in Volume II, including [redacted] 15608 ([redacted]), describing [redacted] [Person 1's] interview while in foreign government custody.) A CIA cable states "after several heart-to-heart chats, [redacted] [Person 1] cried and pledged his full cooperation." Under questioning, [redacted] [Person 1] stated that Gunawan encouraged [redacted] [Person 1] to pursue his interest in aircraft and "attempted in late 2001 and early 2002 to recruit him for pilot training." Per the cable, [redacted] [Person 1] deflected these requests from

debriefer "almost entirely in Bahasa Indonesia," Hambali admitted to fabricating a number of statements during the period he was being subjected to the CIA's enhanced interrogation techniques, including information on efforts to locate pilots for KSM. Specifically, Hambali stated "he lied about the pilot because he was constantly asked about it and under stress, and so decided to fabricate." According to a cable, Hambali said he fabricated these claims "in an attempt to reduce the pressure on himself," and "to give an account that was consistent with what [Hambali] assessed the questioners wanted to hear."[1441] The November 30, 2003, cable noted that CIA personnel "assesse[d] [Hambali]'s admission of previous fabrication to be credible."[1442] Hambali then consistently described "the al-Ghuraba organization" as a "development camp for potential future JI operatives and leadership, vice a JI cell or an orchestrated attempt by JI to

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Gunawan. Asked about his interest in aviation, [redacted] [Person 1] stated that "he was the only member of the Ghuraba study group with an interest in aviation," and that "since he was about four years old he has 'been a big maniac for airplanes.'" [redacted] [Person 1] told his interrogators that he purchased and read multiple magazines about aircraft from various book stores. A CIA officer wrote, "asked to provide details on the Boeing 747, [Person 1] rattled off an impressive array of facts about the various series of 747s." [redacted] [Person 1's] claims were consistent with other intelligence in CIA databases. *See* intelligence chronology in Volume II for additional information.

[1441] [redacted] 1142 (301101Z NOV 03). This cable appears to have been retransmitted the following day as [redacted] 1144 (010823Z DEC 03).

[1442] The CIA detention site wrote, "[Hambali]'s admission came after three weeks of daily debriefing sessions with [the case officer] carried out almost entirely in Bahasa Indonesia. [Hambali] has consistently warmed to [the case officer's] discussions with him, and has provided to [the case officer] additional information that he had avoided in the past… More tellingly, [Hambali] has opened up considerably to [the case officer] about his fears and motivations, and has taken to trusting [the case officer] at his word. [Hambali] looks to [the case officer] as his sole confidant and the one person who has [Hambali]'s interest in mind…. Given this, Base notes [Hambali]'s account of how, through statements read to him and constant repetition of questions, he was made aware of what type of answers his questioners wanted. [Hambali] said he merely gave answers that were similar to what was being asked and what he inferred the interrogator or debriefer wanted, and when the pressure subsided or he was told that the information he gave was okay, [Hambali] knew that he had provided the answer that was being sought." (*See* intelligence chronology in Volume II, including [redacted] 1142 (November 30, 2003).) The CIA's June 2013 Response states that "[w]e continue to assess [Hambali's] original revelation was correct, however, based on KSM's claim that he tasked Hambali to identify and train pilots, Hambali's verification of this claim in multiple instances, and the students' interest in aircraft and aviation." The CIA's June 2013 Response is incongruent with the assessment of CIA interrogators at the time—that the claim of fabrication was "credible"—as well as with a wide body of subsequent reporting. CIA records indicate that CIA officers confused intelligence reporting on the Malaysians involved in the "Second Wave" plotting—an apparent reference to Masran bin Arshad, Zaini Zakaria, and three other Malaysians—with the al-Ghuraba Malaysian student group.

initiate JI operations outside of Southeast Asia."[1443] This description was corroborative of other intelligence reporting.[1444]

(~~TS//[redacted]//NF~~) An October 27, 2006, CIA cable states that "all of the members of the JI al-Ghuraba cell have been released,"[1445] while an April 18, 2008, CIA intelligence report focusing on the Jemaah Islamiyah and referencing the al-Ghuraba group makes no reference to the group serving as potential operatives for KSM's "Second Wave" plotting.[1446]

4. *The Thwarting of the United Kingdom Urban Targets Plot and the Capture of Dhiren Barot, aka Issa al-Hindi*

(~~TS//[redacted]//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and necessary to produce critical, otherwise unavailable intelligence, which enabled the CIA to disrupt terrorist plots, capture terrorists, and save lives. Over a period of years, the CIA provided the capture of Dhiren Barot, aka Issa al-Hindi, and the thwarting of Barot's United Kingdom Urban Targets Plot as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These representations were inaccurate. The operation that resulted in the identification of a U.K.-based "Issa," the identification of "Issa" as Dhiren Barot, Dhiren Barot's arrest, and the thwarting of his plotting, resulted from the investigative activities of U.K. government authorities. Contrary to CIA representations, KSM did not provide the first reporting on a U.K.-based "Issa," nor are there records to support the CIA representation that reporting from CIA detainees subjected to the CIA's enhanced interrogation techniques resulted in Dhiren Barot's arrest. After the arrest of Dhiren Barot, CIA officers prepared a document for U.K. authorities which stated: "while KSM tasked al-Hindi to go to the US to surveil targets, he was not aware of the extent to which Barot's planning had progressed, who Issa's co-conspirators were, or that Issa's planning had come to focus on the UK." The plotting associated

[1443] Hambali elaborated that the al-Ghuraba group was similar to the Pan Islamic Party of Malaysia (PAS)'s Masapakindo, aka Pakindo, organization. Masran bin Arshad was connected to Pakindo, and, while in foreign government custody, explained that "in 1991, PAS [Pan Islamic Party of Malaysia] established a secret Malaysian Student Association known as 'Masapakindo' to help facilitate a steady pipeline of PAS religious and military trainees traveling from Malaysia to Pakistan, sometimes continuing on to Afghanistan, but ultimately returning to Malaysia. This student association for children of PAS members also was intended to serve as a general support structure for PAS students who were undergoing Islamic religious training in Pakistan and India. Masapakindo's headquarters was based in Karachi, Pakistan." *See* intelligence chronology in Volume II for additional information, including [REDACTED] 45915 (141431Z SEP 03) and CIA [redacted] (160621Z DEC 02). *See also* February 27, 2004, Memorandum for CIA Inspector General from James L. Pavitt, CIA Deputy Director for Operations, entitled "Comments to Draft IG Special Review," "Counterterrorism Detention and Interrogation Program," which contains a February 24, 2004, attachment entitled, "Successes of CIA's Counterterrorism Detention and Interrogation Activities." *See also* CIA Intelligence Product entitled, "Jemaah Islamiya: Counterterrorism Scrutiny Limiting Extremist Agenda in Pakistan," dated April 18, 2008. *See also* KSM and Hambali reporting from October 2003.

[1444] *See* intelligence chronology in Volume II. Although NSA signals intelligence was not provided for this Study, an April 2008 CIA intelligence report on the Jemaah Islamiya noted that the al-Ghuraba group "consisted of the sons of JI leaders, many of whom completed basic militant training in Afghanistan and Pakistan while enrolled at Islamic universities in Karachi," and that this assessment was based on "signals intelligence and other reporting." *See* CIA Intelligence Product entitled, "Jemaah Islamiya: Counterterrorism Scrutiny Limiting Extremist Agenda in Pakistan," dated April 18, 2008.

[1445] WASHINGTON DC [redacted] (272113Z OCT 06)

[1446] CIA Intelligence Product entitled, "Jemaah Islamiya: Counterterrorism Scrutiny Limiting Extremist Agenda in Pakistan," dated April 18, 2008.

with Dhiren Barot was assessed by experts to be "amateurish," "defective," and unlikely to succeed.

(~~TS//[redacted]//NF~~) *Further Details:* Dhiren Barot, aka Issa al-Hindi,[1447] met with al-Qa'ida leaders in Pakistan in early 2004 to discuss potential terrorist attacks against targets in the United Kingdom.[1448] Intelligence reporting indicates that Barot spent February and March 2004

[1447] Dhiren Barot was referred to as "Issa," "Abu Issa," "Abu Issa al-Pakistani," and "Issa al-Britani." CIA records indicate that Dhiren Barot's most common alias, "Issa al-Hindi" (variant "Esa al-Hindi") – the name used to author the book, "The Army of Madinah in Kashmir" – was uncovered in May 2003 from FBI interviews of an individual in FBI custody, James Ujaama, aka Bilal Ahmed. Intelligence reporting indicated that Dhiren Barot's, aka Esa al-Hindi's, "The Army of Madinah in Kashmir" was a well-known book among the U.K. extremist community. Information on the book was prominently available online in 2002, on, among other internet sites, the website of the book store associated with Moazzem Begg, a U.K. extremist who was arrested and transferred to U.S. military custody at Guantanamo Bay, Cuba, in 2002. The cover of the book lists "Esa Al-Hindi" as the author ([redacted] 280438Z (280746Z MAY 03)).

[1448] Note on CIA records related to U.K.-based "Issas": Two United Kingdom-based al-Qa'ida associates, Dhiren Barot and Sajid Badat, were known by the same common aliases, Issa, Abu Issa, Abu Issa al-Britani ("[of] Britain") and/or Issa al-Pakistani. Both individuals were British Indians who had been independently in contact with senior al-Qa'ida leaders in Pakistan. Reporting indicated that the Issa(s) were located in the U.K. and engaged in terrorist targeting of the U.K. The investigation into their true identities was a U.K.-led operation. As a result, the CIA sometimes had limited insight into U.K.-based activities to identify and locate the Issas. Senior CIA personnel expressed frustration that the U.K. was not sharing all known information on its investigations, writing in August 2003 that "[the FBI is] clearly working closely with the [U.K. service] on these matters and [the CIA is] at the mercy" of what it is told. Until the arrest of one of the Issas, Sajid Badat, on November 27, 2003, the U.S. Intelligence Community and U.K. authorities often confused the two al-Qa'ida associates. As a result, the quality and clarity of detainee reporting on the Issas (including reporting from detainees in the custody of the CIA, U.S. military, Department of Justice, and foreign services) varied. CIA personnel [redacted] reported in September 2003 that there were "two (or three) Abu Issas" in intelligence reporting and that, because of their similarities, it was often "unclear which Issa the detainees [were] referring to at different stages." Once detained in the United Kingdom in November 2003, Sajid Badat (one of the Issas) cooperated with U.K. authorities and provided information about the other "Issa." Badat stated that "people often asked [Badat] about [the other] Issa, as they were both British Indians." According to Sajid Badat, "anyone who had been involved with jihad in Britain since the mid-90s" would know Issa al-Hindi (aka Dhiren Barot), to include Babar Ahmed, Moazzem Begg, Richard Reid, Zacarias Moussaoui, and KSM. Dhiren Barot (the other Issa), arrested on August 3, 2004, was found to have been especially well-known among the U.K. extremist community, having written a popular book in 1999 expounding the virtues of jihad in Kashmir under the alias, "Esa al-Hindi." CIA records include a reference to the book and a description of its author ("a brother from England who was a Hindu and became a Muslim…[who] got training in Afghanistan…") as early as December 1999. (*See* information disseminated by the CIA on 12/31/99 in [redacted].) [redacted] [A foreign partner] would later report that Dhiren Barot "frequently" appeared "in reporting of terrorist training" and "involvement in Jihad in occupied Kashmir, Pakistan, Afghanistan, and Malaysia, throughout the 1990s." As described, the Committee Study is based on more than six million pages of material related to the CIA's Detention and Interrogation Program provided by the CIA. Access was not provided to intelligence databases of the CIA, or any other U.S. or foreign intelligence or law enforcement agency. Insomuch as intelligence from these sources is included, it was, unless noted otherwise, found within the CIA's Detention and Interrogation Program material produced for this Study. It is likely that significant intelligence unrelated to the CIA's Detention and Interrogation Program on Sajid Badat and Dhiren Barot exists in U.S. intelligence and law enforcement records and databases. (*See* intelligence chronology in Volume II, including: ALEC [redacted] (112157Z JUN 03); [redacted] 19907 (231744Z APR 04); [redacted] 99093 (020931Z SEP 03); ALEC [redacted] (212117Z AUG 03); CIA WASHINGTON DC [redacted] (162127Z JUN 03); and a series of emails between [redacted] and [redacted] (with multiple ccs) on August 22, 2003, at 9:24:43 AM.) In the context of the Capture/Identification of Sajid Badat, the CIA's June 2013 Response states that "KSM's reporting also clearly distinguished between, and thereby focused investigations of, two al-Qa'ida operatives known as Issa al-Britani." As detailed in the KSM detainee review in Volume III, KSM did discuss the two operatives, but he did not identify

in Pakistan with senior al-Qa'ida explosives expert 'Abd al-Rahman al-Muhajir, likely refining plans to use vehicle-based bombs against U.K. targets.[1449] In July 2004, casing reports associated with "Issa" were recovered in a raid in Pakistan associated with the capture of Abu Talha al-Pakistani.[1450] During questioning in foreign government custody, "Abu Talha stated the U.S. casing reports were from Abu Issa."[1451] Further debriefings of Abu Talha revealed that Issa, aka Dhiren Barot, was the "operational manager" for al-Qa'ida in the United Kingdom.[1452] Additional information about Dhiren Barot's U.K. plotting was recovered from the hard drives confiscated during the raid that resulted in the arrest of Dhiren Barot. A document describing the plotting was divided into two parts. The first part included "the Gas Limos project," which envisioned parking explosives-laden courier vans or limousines in underground garages. The second part, the "radiation (dirty bomb) project," proposed using 10,000 smoke detectors as part of an explosive device to spread a radioactive element contained in the detectors. Dhiren Barot's plotting was referred to as the United Kingdom Urban Targets Plot.[1453] The U.K. Urban Targets

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either by name (or, in the case of Dhiren Barot, by his more common *kunya,* Issa al-Hindi) and provided no actionable intelligence that contributed to the eventual identification and location of either "Issa."

[1449] *See* email from: [REDACTED]; to: [REDACTED] at the Office of Director of National Intelligence; subject: "URGENT: Unclassified Fact Sheet for [REDACTED]"; date: October 6, 2005, at 2:39 PM.

[1450] [redacted] 3924 [redacted]; CIA WASHINGTON DC [redacted]. The CIA has represented that the use of the CIA's enhanced interrogation techniques resulted in the identification and arrest of "Abu Talha al-Pakistani." The CIA's June 2013 Response states that Abu Talha's arrest and debriefing was "invaluable to our overall understanding of Issa's activities and the threat he posed," and claims that Abu Talha's arrest "would not have happened if not for reporting from CIA-held detainees." CIA records do not support this statement. CIA records indicate that Abu Talha was identified and located independent of information from CIA detainees. Abu Talha al-Pakistani, a Pakistani with links to U.K. extremists, was identified through information derived from British [redacted] [intelligence collection] and the U.K. investigation of U.K.-based extremist Baber Ahmed and his associates. These individuals were already under investigation by the [redacted] [foreign partner]. Further, Baber Ahmed was known to the U.S. intelligence and law enforcement authorities prior to any CIA detainee reporting. Foreign government authorities, relying on information provided by the United Kingdom and, to an extent, U.S. signals intelligence, ultimately located and arrested Abu Talha al-Pakistani. Because of the central role of U.K. authorities, CIA records do not include a comprehensive accounting of the investigation and operations that led to Abu Talha al-Pakistani's detention. CIA records indicate, however, that Abu Talha al-Pakistani was identified by two detainees in foreign government custody, shortly after their capture. (Both detainees would later be transferred to CIA custody and subjected to the CIA's enhanced interrogation techniques.) The first of these two detainees was Majid Khan, who on March 6, 2003, discussed Ammar al-Baluchi's Karachi-based assistant, "Talha." Majid Khan provided a phone number for Talha, and used that number at the request of his captors in an effort to locate and capture Ammar al-Baluchi through Talha. This reporting, which Majid Khan provided while he was in foreign government custody, preceded any reporting from CIA detainees. The other detainee who reported on Abu Talha was Ammar al-Baluchi, who described him as "Suliman" and stated that he had been dispatched to the United Kingdom to recruit operatives suitable for hijacking and suicide operations. Ammar al-Baluchi was also in foreign government custody at the time of this disclosure. KSM's failure to mention Abu Talha/"Suliman," more than a month after the CIA had ceased using its enhanced interrogation techniques against him, prompted one of KSM's debriefers to state that "KSM could be in trouble very soon." KSM also fabricated that he had shown a sketch related to the Heathrow Airport plot to Ammar al-Baluchi, rather than to Abu Talha, until confronted with Ammar al-Baluchi's denials, more than three months after the use of the CIA's enhanced interrogation techniques against KSM had ceased. *See* Volume II and the KSM detainee review in Volume III for additional information.

[1451] Email from: [redacted]; to: James Pavitt and others; subject: "Laptop docex from recent raid may yield pre-election threat information"; date: July [redacted], 2004, at 7:35 AM.

[1452] [redacted] 3924 [redacted], disseminated as [redacted]; [redacted]

[1453] *See* DIRECTOR [redacted] (032140Z AUG 04). *See also* intelligence chronology in Volume II, as well as email from: [REDACTED]; to: [REDACTED], at the Office of Director of National Intelligence; subject: "URGENT: Unclassified Fact Sheet for [REDACTED]"; date: October 6, 2005, at 02:39 PM. The email includes a CIA-

Plot was disrupted when Dhiren Barot and his U.K.-based associates were detained in the United Kingdom in early August 2004.[1454] On August 24, 2004, U.K. authorities informed the CIA that the criminal charges against Barot and his co-conspirators "were mainly possible owing to the recovery of terrorist-related materials during searches of associated properties and vehicles following their arrests."[1455] In September 2004, an Intelligence Community assessment stated that Dhiren Barot was "in an early phase of operational planning at the time of his capture," and that there was no evidence to indicate that Barot had acquired the envisioned materials for the attacks.[1456] In December 2005, an FBI assessment stated, "the main plot presented in the Gas Limos Project is unlikely to be as successful as described," concluding, "we assess that the Gas Limos Project, while ambitious and creative, is far-fetched."[1457] On November 7, 2006, Dhiren Barot was sentenced to life in prison. On May 16, 2007, Barot's sentence was reduced from life in prison to 30 years after a British Court of Appeal found that expert assessments describing the plot as "amateurish," "defective," and unlikely to succeed were not provided to the sentencing judge.[1458]

(~~TS//~~ [redacted] ~~//NF~~) The thwarting of the United Kingdom Urban Targets Plot and the identification and/or capture of Dhiren Barot, aka Issa al-Hindi, is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the identification and/or arrest of Dhiren Barot, and/or the disruption of his U.K. plotting, as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1459] In at least one document prepared for the president, the CIA specifically

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coordinated fact sheet and states the following regarding Dhiren Barot and his U.K. attack planning: "Issa al-Hindi—who previously traveled to and cased a number of financial targets in the US—met with al-Qa'ida leaders in Pakistan in early 2004 to discuss attack planning against targets in the UK. Issa spent February and March 2004 in Shkai, Pakistan, with senior al-Qa'ida explosives expert 'Abd al-Rahman al-Muhajir, probably refining plans to use vehicle bombs against UK targets. Issa's reports, which were recovered in a raid in mid-2004, discussed ramming a fuel tanker into a target and parking explosives-laden courier vans or limousines in underground garages. Disruption: Issa and members of his cell were detained in the UK in early August 2004—soon after the arrest of key Hamza Rabi'a subordinate Abu Talha al-Pakistani in [redacted] Pakistan."

[1454] CIA internal assessments concur with this analysis. *See* "disruption" text in an email from: [REDACTED]; to: [REDACTED], at the Office of Director of National Intelligence; subject: "URGENT: Unclassified Fact Sheet for [REDACTED]"; date: October 6, 2005, at 02:39 PM.

[1455] CIA [redacted] (242144Z AUG 04)

[1456] Disseminated intelligence product by the IICT, entitled, "Homeland: Reappraising al-Qa'ida's "Election Threat," dated September 10, 2004.

[1457] FBI Intelligence Assessment, "The Gas Limos Project: An al-Qa'ida Urban Attack Plan Assessment," dated December 14, 2004.

[1458] *See* Royal Courts of Justice Appeal, Barot v R [2007], EWCA Crim 1119 (16 May 2007). The expert assessments determined that the plotting involved "a professional-looking attempt from amateurs who did not really know what they were doing." *See also* June 15, 2007, *Bloomberg* news article entitled, "Terrorist Gang Jailed for Helping London and New York Bomb Plot."

[1459] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005. *See also* CIA talking points for National Security Council entitled, "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques," dated March 4, 2005, as well as multiple other CIA briefing records and memoranda.

highlighted the waterboard technique in enabling the "disruption of [Dhiren Barot's] sleeper cell."[1460] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1461]

[1460] *See* document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."

[1461] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and

(~~TS//[redacted]//NF~~) For example, documents prepared in February 2009 for CIA Director Leon Panetta on the effectiveness of the CIA's enhanced interrogation techniques state that the "CIA assesses…the techniques were effective in producing foreign intelligence," and that "most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." The document provides examples of "some of the key captures, disrupted plots, and intelligence" attributed to CIA interrogations. The document includes the following:

> "Key Captures from HVD Interrogations: *…arrest of Dhiren Barot (aka Issa al-Hindi) in the United Kingdom.*"[1462]

The materials for Director Panetta also include a chart entitled, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad," that identifies two pieces of "key intelligence" acquired from KSM, one related to Majid Khan[1463] and the other to Dhiren Barot:

> "KSM reports on an unidentified UK-based operative, Issa al-Hindi, which touches off an intensive CIA, FBI and [United Kingdom] manhunt."[1464]

(~~TS//[redacted]//NF~~) Likewise, a December 2004 CIA memorandum prepared for National Security Advisor Condoleezza Rice responded to a request "for an independent study of the foreign intelligence efficacy of using enhanced interrogation techniques." The CIA responded, "[t]here is no way to conduct such a study," but stated that the "CIA's use of DOJ-

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Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases (DTS #2009-1258), which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1462] Italics added. CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)." The documents include "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted."

[1463] The reference in the document to KSM's reporting related to Majid Khan is inaccurate. The document asserts: "When confronted with KSM's information, Majid admits he delivered the money to Zubair…." As described in this summary, and more extensively in Volume II, Majid Khan provided information on the referenced money transfer while in foreign government custody, to an interrogator using rapport-building techniques, prior to any information from KSM.

[1464] CIA briefing documents for Leon Panetta entitled, "Tab 9: DCIA Briefing on RDI Program- 18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)." Includes "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted."

approved enhanced interrogation techniques, as part of a comprehensive interrogation approach, has enabled CIA to disrupt terrorist plots, capture additional terrorists, and collect a high volume of critical intelligence on al-Qa'ida." The document then provides examples of "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques,"[1465] including:

> "Issa al-Hindi: KSM first[1466] identified Issa al-Hindi as an operative he sent to the US prior to 9/11 to case potential targets in NYC and Washington. When shown surveillance photos provided by [redacted] [foreign partner authorities], HVDs confirmed al-Hindi's identity. Al-Hindi's capture by the British resulted in the disruption of a sleeper cell and led to the arrest of other operatives."[1467]

(~~TS//[redacted]//NF~~) Similarly, CIA Director Michael Hayden represented to the Committee on April 12, 2007, that "KSM also provided the first lead to an operative known as 'Issa al-Hindi,' with other detainees giving additional identifying information."[1468]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the thwarting of the United Kingdom Urban Targets Plot and the identification and/or arrest of Dhiren Barot, aka Abu Issa al-Hindi, in 17 of the 20 documents provided to policymakers and the Department of Justice between July 2003 and March 2009.[1469]

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other documents found that the CIA's enhanced interrogation techniques did not result in the unique intelligence that the

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[1465] Italics in original.

[1466] The CIA's June 2013 Response states that the "CIA accurately represented that Khalid Shaykh Muhammad (KSM) provided the initial lead to a UK-based al-Qa'ida operative named Dhiren Barot, aka Issa al-Hindi, whom KSM had tasked to case US targets. That information [from KSM] allowed us to identify this Issa as Barot and ultimately led British authorities to arrest him." As is described in this summary, and in greater detail in Volume II, this CIA representation is not supported by internal CIA records.

[1467] CIA memorandum to "National Security Advisor," from "Director of Central Intelligence," Subject: "Effectiveness of the CIA Counterterrorist Interrogation Techniques," included in email from: [redacted]; to: [redacted], [redacted], and [redacted]; subject: "paper on value of interrogation techniques"; date: December 6, 2004, at 5:06:38 PM. The email references the attached "information paper to Dr. Rice explaining the value of the interrogation techniques." The document includes references to the following: The Karachi Plot, the Heathrow Plot, the "Second Wave" plots, the Guraba Cell, Issa al-Hindi, Abu Talha al-Pakistani, Hambali's Capture, Jafaar al-Tayyar, the Dirty Bomb Plot, Sajid Badat, and Shkai, Pakistan. The document also asserts that "[p]rior to the use of enhanced measures" the CIA "acquired little threat information or significant actionable intelligence" from KSM. As detailed in the summary, KSM was subjected to the CIA's enhanced interrogation techniques immediately upon entering CIA custody.

[1468] CIA classified statement for the record, Senate Select Committee on Intelligence, provided by General Michael V. Hayden, Director, Central Intelligence Agency, 12 April 2007; and accompanying Senate Select Committee on Intelligence hearing transcript for April 12, 2007, entitled, "Hearing on Central Intelligence Agency Detention and Interrogation Program" (DTS #2007-1563).

[1469] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

CIA represented led to the arrest of Dhiren Barot or the thwarting of his plotting.[1470] The review found that the intelligence that alerted security officials to: (1) the potential terrorist threat posed by one or more U.K.-based operatives with the alias "Issa"; (2) Issa's more common alias, "Issa al-Hindi"; (3) Issa al-Hindi's location; (4) Issa al-Hindi's true name, Dhiren Barot; and (5) information on Dhiren Barot's U.K. plotting, all came from intelligence sources unrelated to the CIA's Detention and Interrogation Program.[1471] Contrary to CIA representations, reporting from CIA detainees subjected to the CIA's enhanced interrogation techniques did not lead to the arrest of Dhiren Barot or the thwarting of the United Kingdom Urban Targets Plot, nor did KSM provide the first reporting on a U.K.-based "Issa." Rather, the disruption of the United Kingdom Urban Targets Plot and the identification and arrest of Dhiren Barot (aka Issa al-Hindi) was attributable to the efforts of U.K. law enforcement [redacted], as well as [redacted] [a review of computer hard drives], [redacted] [collected communications], and reporting from detainees in the custody of the U.S. Department of Justice, the U.S. military, and a foreign government. While records indicate KSM did provide the initial information on "Issa's" tasking to conduct casings in the United States prior to the September 11, 2001, attacks,[1472] as well as information on an email address related to Issa,[1473] this information was provided within a larger body of fabricated reporting KSM provided on Issa. The CIA was unable to distinguish between the accurate and inaccurate reporting, and KSM's varied reporting led CIA officers to conclude that KSM was "protecting" Issa[1474] and "obstructing [the CIA's] ability to acquire good information" on the U.K.-based operative well after the CIA ceased using enhanced interrogation techniques against KSM.[1475]

[1470] CIA records indicate that CIA detainees largely provided corroborative reporting on Abu Issa, aka Dhiren Barot, and that CIA representations that "most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means," is not supported by CIA records. *See* intelligence chronology in Volume II for additional details.

[1471] Dhiren Barot's arrest by U.K. authorities was also unrelated to reporting from the CIA's Detention and Interrogation Program. *See* information in this summary, as well as the intelligence chronology in Volume II.

[1472] When Issa's U.S. casing reports were found on Abu Talha al-Pakistani's computer, KSM stated that he did not know of any al-Qa'ida plans, by Abu Talha or anyone else, to target the Citigroup/Citibank building, Prudential Group building, or the United Nations building in New York. (*See* [redacted] 1477 [redacted].) Nonetheless, KSM's reporting on Issa's travel to the U.S. was later corroborated by FBI reporting and individuals detained by foreign governments. *See* FBI IIR [redacted] (26 AUG 2004) and TTIC Special Analysis Report 2004-28H, entitled, "Homeland: Threat Assessment for IMF/World Bank Annual Meeting, 2-3 October 2004," dated September 28, 2004; and DIRECTOR [redacted]. *See also* reissue, DIRECTOR [redacted].

[1473] [redacted] 10948 (222101Z MAR 03)

[1474] A CIA officer's comment on talking points prepared for "ADCI Tuesday Briefing of Kerry/Edwards" on Issa al-Hindi states that "KSM didn't decode the [phone] numbers for us (he just provided info on how he may have encoded the numbers—which when used didn't result in valid numbers) [an] address with the number didn't exist; it was a dead end, and it appears KSM was protecting [Issa] al-Hindi." *See* email from: [REDACTED]; to: [REDACTED], with multiple ccs; subject: "IMMEDIATE: al-Hindi TPs for ADCI Tuesday Briefing of Kerry/Edwards"; date: August 30, 2004, at 02:51 PM, which contains comments on previous drafts of talking points.

[1475] Email from: [redacted]; to: [redacted], [REDACTED]; cc: [redacted]; subject: KSM and Khallad Issues; date: October 16, 2003, at 5:25:13 PM. *See also* email from: [redacted]; to: [REDACTED], [REDACTED]; cc: [redacted], [REDACTED], [REDACTED]; subject: Some things to ping Mukie on--cable coming; date: April 11, 2003, at 5:00:12 PM; and ALEC [redacted] (222153Z APR 03).

(~~TS//~~ [redacted] ~~//NF~~) According to information provided to the CIA by the United Kingdom, Dhiren Barot, aka Issa al-Hindi, appeared in [redacted] reporting related to "terrorist training" and participation "in jihad in occupied Kashmir, Pakistan, Afghanistan, and Malaysia throughout the 1990s."[1476] Information concerning a book written by Dhiren Barot (under the alias "Esa al-Hindi") on jihad in Kashmir appeared in [redacted] and CIA intelligence records as early as December 1999.[1477] At that time U.K. authorities had a number of U.K.-based extremists under investigation, including Moazzem Begg.[1478] Begg's Maktabah al-Ansar bookstore was described as "a known jihadist gathering place."[1479] According to intelligence reports, in 1999, [redacted] 'Abu Issa' stayed with Moazzem Begg[1480] at the Maktabah al-Ansar bookstore in Birmingham, U.K.," and that this "Issa" was in contact with other U.K. extremists.[1481] According to reporting, Begg was associated with two "al-Qa'ida operatives" arrested in 1999 for their involvement in terrorist plotting and later released.[1482] A report from August 1, 2000, stated that U.K. authorities raided Begg's bookstore and found an invoice for 5000 copies of a book entitled, "The Army of Madina in Kashmir."[1483] A search of computers associated with the two aforementioned "al-Qa'ida operatives" described the book as their "project" written by "a brother from England who was a Hindu and became a Muslim." According to the reporting, the U.K.-based author of the book "got training in Afghanistan" before fighting jihad in Kashmir.[1484] (The book advocates for "worldwide jihad" and the author is listed on the cover of the book as "Esa al-Hindi."[1485]) Additional reporting on

[redacted]

[1476] CIA [redacted] (242144Z AUG 04)

[1477] [redacted]

[1478] A June 25, 2004, CIA Serial Flyer entitled, "Guantanamo Bay Detainee Moazzem Begg's Links to Active Operatives," states that, after being captured in February 2002 and being held in U.S. military custody, "Begg has been cooperative in debriefings and has provided background information and descriptions of a number of his past associates that have helped shed light on the extent of the Islamic extremist network in the United Kingdom and its ties to al-Qa'ida." According to the CIA report, in June 2004, Begg's "description and resulting sketch of UK contact Issa al-Hindi"—whose true identity was then unknown—"was compared to a still shot of an unidentified man taken from a surveillance video of UK extremists." The comparison "revealed that the man in the video probably [was] the elusive Issa al-Hindi." Begg co-owned the Maktabah al-Ansar bookshop in Birmingham, United Kingdom, that would later be found to have published a book written by "Esa al-Hindi" that was well known among U.K. extremists, "The Army of Madinah in Kashmir."

[1479] *See* [REDACTED] 72330 [redacted] and "Guantanamo Bay Detainee Moazzem Begg's Links to Active Operatives," June 2004 for intelligence referencing earlier reporting. *See* also open source reporting on U.K. raids of the bookstore in the year 2000, as well as subsequent raids, including, "Bookshop linked to Bin Laden's 'General," *The Telegraph,* dated February 1, 2007.

[1480] On April [redacted], 2004, [redacted] relayed information acquired from Sajid Badat, the other U.K. "Issa." Badat stated that "anyone who had been involved with jihad in Britain since the mid-90s" would know the other Issa, naming among other individuals, Moazzem Begg. *See* [redacted] 19907 (231744Z APR 04).

[1481] CIA [redacted] (262213Z SEP 03) (cable referencing information collected in 1999)

[1482] [redacted] 49612 (281213Z JUL 03)

[1483] [REDACTED] 72330 [redacted]; (cable discusses historical reporting). *See also* "Bookshop linked to Bin Laden's 'General," *The Telegraph,* dated February 1, 2007.

[1484] [redacted]

[1485] The CIA's June 2013 Response states that the "Study highlights and mischaracterizes" this intelligence because the author of "The Army of Madinah in Kashmir," is not identified in the intelligence report. The CIA Response states that the report "identifies the author only as 'an Afghanistan-trained British convert writing about Hindu atrocities in Kashmir.'" Notwithstanding the CIA's Response, the Committee found the intelligence report references the book, "The Army of Madinah in Kashmir," and describes the author as "a brother from England who was a Hindu and became a Muslim about six years ago" and who "got training in Afghanistan then went to fight in Kashmir." According to open sources, the 1999 book advocated "worldwide jihad" in order to bring nations "to

"Issa" appeared in CIA records again in July 2001. At that time the FBI reported that Ahmed Ressam, who was in a U.S. federal prison (arrested by U.S. border patrol with explosives in his vehicle in December 1999), reported that a U.K. national named "Issa" attended a terrorist training camp associated with al-Qa'ida in Afghanistan.[1486]

(~~TS//~~ [redacted] ~~//NF~~) In February 2002, Moazzem Begg was arrested at an al-Qa'ida safe house in Islamabad, Pakistan, and subsequently transferred to U.S. military custody at Guantanamo Bay, Cuba.[1487] While still in Pakistani custody, Begg provided reporting on U.K.-based extremists in the context of terrorist training camps, including information on an individual who would play a key role in "Issa's" identification and capture, "Sulayman" (variant Sulyman).[1488] In May 2002, the CIA was seeking to learn more about "Sulyman."[1489] [redacted] [foreign partner] authorities informed the CIA that Sulyman was a person of interest to U.K. authorities for his connections to U.K. extremists and his suspected travel to Kashmir multiple times for terrorist activity. The [redacted] [foreign partner] further reported that Sulyman may have been involved [redacted] The same intelligence report provided by [redacted] [foreign partner] included Sulyman's likely true name, Nisar Jilal, as well as his date of birth and place of employment.[1490]

(~~TS//~~ [redacted] ~~//NF~~) Beginning in mid-2002, there was increasing intelligence reporting on one or more U.K.-based individuals referred to as "Issa" who were connected to KSM and possibly planning attacks in the United Kingdom.[1491] This reporting resulted in efforts by U.K. authorities to identify and locate this "Issa."[1492] In August 2002,[1493] and again in October 2002, [redacted] [foreign partner] informed the CIA that it was seeking to identify a U.K.-based "Abu Issa" who was reportedly "an English speaker and trusted [terrorist] operative."[1494]

(~~TS//~~ [redacted] ~~//NF~~) In September 2002, an email address ("Lazylozy") was recovered during raids related to the capture of Ramzi bin al-Shibh that would later be found to be in

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their knees." An Internet archive search for the title of the book, "The Army of Madinah in Kashmir," found the book prominently advertised among the "Recommended Products" in 2002 on the website for the Maktabah al-Ansar bookstore (www.maktabah.net/books/images/kashmir.jpg: internet archive 2002). The website archive from 2002 states that the author "Esa al-Hindi" converted "to Islam at the age of 20" and recalls his "personal experience in occupied Kashmir fighting the Indian forces." The bookstore's website and related jihadi websites list the author of the book as "Esa Al-Hindi." CIA cables suggest it was not until June 2003 that the CIA conducted an internet search for "The Army of Madinah in Kashmir." When the search was conducted, the CIA found "it is one of the recommended reads featured" on the website of the Maktabah al-Ansar bookstore. *See* ALEC [redacted] (052206Z JUN 03). As noted, the same information on the book was prominently listed on the same website more than a year earlier.

[1486] DIRECTOR [redacted] (23JUL01); DIRECTOR [redacted] (20JUL01)

[1487] June 25, 2004, CIA Serial Flyer entitled, "Guantanamo Bay Detainee Moazzem Begg's Links to Active Operatives."

[1488] [redacted] 14083 [redacted]; DIRECTOR [redacted]; DIRECTOR [redacted]

[1489] DIRECTOR [redacted]; DIRECTOR [redacted]

[1490] [redacted] 77599, [redacted]

[1491] *See* 2002 reporting detailed in the Volume II intelligence chronology. At this point it was still unknown how many Issas the reporting was referencing. In September 2003, however, a CIA officer assessed there were "two (or three) Abu Issas" in intelligence reporting. *See* [redacted] 99093 (020931Z SEP 03).

[1492] [REDACTED] 80508 [redacted]

[1493] [REDACTED] 80508 [redacted]

[1494] [REDACTED] 83917 [redacted]

contact with "Issa." Information on the email address was disseminated in intelligence reporting.[1495] The same email address was found on March 1, 2003, during the raids that led to the capture of KSM. CIA records indicate that [redacted] sought [redacted] coverage for the email account.[1496] Within days, the Intelligence Community was collecting information from the account and had reported that the user of the account was in contact with other covered accounts and that the message content was in English.[1497]

(~~TS//[redacted]//NF~~) KSM was captured on March 1, 2003. On March [redacted], 2003, KSM was rendered to CIA custody and immediately subjected to the CIA's enhanced interrogation techniques—including at least 183 applications of the waterboard interrogation technique—until March 25, 2003.[1498] During the month of March 2003, KSM provided information on a variety of matters, including on a U.K.-based Abu Issa al-Britani. The information provided by KSM on "Issa" included both accurate and inaccurate information. At the time, the CIA was unable to discern between the two. During interrogation sessions in March 2003, KSM first discussed an "Issa al-Britani" among a list of individuals who were connected to KSM's Heathrow Airport plotting.[1499] On March 17, 2003, KSM stated that, prior to the September 11, 2001, attacks, he tasked Issa to travel to the United States to "collect information on economic targets." On March 21, 2003, KSM was waterboarded for failing to confirm interrogators' suspicions that KSM sought to recruit individuals from among the African American Muslim community. KSM then stated that he had talked with "Issa" about contacting African American Muslim groups prior to September 11, 2001.[1500] The next day KSM was waterboarded for failing to provide more information on the recruitment of African American Muslims. One hour after the waterboarding session, KSM stated that he tasked Issa "to make contact with black U.S. citizen converts to Islam in Montana," and that he instructed Issa to use his ties to Shaykh Abu Hamza al-Masri, a U.K.-based Imam, to facilitate his recruitment efforts.[1501] KSM later stated that Issa's mission in the United States was to surveil forests to potentially ignite forest fires.[1502] During this period, KSM was confronted with a series of emails that included the aforementioned "Lazylozy" email account and another email account ("[redacted]"). KSM confirmed that the emails were established for communication between Issa al-Britani and Ammar al-Baluchi and stated that Issa used the "Lazylozy" account, and that al-Baluchi used the "[redacted]" account.[1503] (A month later the CIA reported that Issa did not use the "Lazylozy" email address, but the other email address.)[1504] Over the next six months, KSM retracted or provided conflicting reporting on Issa. On June 22, 2003, CIA interrogators reported that "[KSM] nervously explained to

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1495 [redacted]

1496 ALEC [redacted] (102238Z MAR 03)

1497 [redacted] *Update on E-mail Activity* [redacted] *Messages Derived from* [redacted] *Coverage,* [redacted] CIA [redacted]

1498 *See* KSM detainee review in Volume III for additional details.

1499 There are no other records indicating that Dhiren Barot, aka Issa, was connected to KSM's Heathrow Plotting. [redacted] 10828 (151310Z MAR 03); [redacted] 10815 (141819Z MAR 03); [redacted] 10871 (172037Z MAR 03).

1500 [redacted] 10932 (212132Z MAR 03); [redacted] 10921 (211046Z MAR 03)

1501 [redacted] 10942 (221610Z MAR 03). According to KSM, Shaykh abu Hamza al-Masri had contacts in Montana.

1502 DIRECTOR [redacted] (312243Z MAR 03); [redacted] 10942 (221521Z MAR 03); [redacted] 11070 (302115Z MAR 03), disseminated as [redacted]

1503 [redacted] 10948 (222101Z MAR 03)

1504 ALEC [redacted] (182330Z APR 03)

debriefer that he was under 'enhanced measures' when he made these claims" about terrorist recruitment in Montana, and "simply told his interrogators what he thought they wanted to hear."[1505] A CIA Headquarters response cable stated that the CIA's ALEC Station believed KSM's fabrication claims were "another resistance/manipulation ploy" and characterized KSM's contention that he "felt 'forced' to make admissions" under enhanced interrogation techniques as "convenient excuses." As a result, ALEC Station urged CIA officers at the detention site to get KSM to reveal "who is the key contact person in Montana?"[1506] By June 30, 2005, ALEC Station had concluded that KSM's reporting about African American Muslims in Montana was "an outright fabrication."[1507]

(~~TS//[redacted]//NF~~) On April 4, 2003, the CIA provided reporting to the U.K. on "Issa," stating that "we realize that Abu Issa is a target of interest to your service." The information compiled by the CIA included an August 2002 report (unrelated to the CIA's Detention and Interrogation Program) that stated that a U.K. national "Abu Issa Al-Pakistani" was slated by al-Qa'ida for "terrorist operations against foreign targets."[1508] On April 18, 2003, a [redacted] cable to the U.K. relayed that the correct email for Abu Issa al-Britani is ("[redacted]"). It further noted that "the Abu Issa account" is "under [redacted] coverage, and [redacted]." The same cable notes that KSM had changed his reporting on Issa's background. According to the cable, KSM originally stated Issa was of Pakistani origin, but now claimed that Issa was of Indian origin. The CIA wrote that KSM's reporting:

> "tracks with reporting from another detainee. As you are aware, Feroz Abbasi and other detainees at Guantanmo [sic] Bay have described an Abu Issa that worked for the al-Qa'ida media Committee run by KSM…Abassi [at] one time related that Abu Issa described himself as Indian."[1509]

(~~TS//[redacted]//NF~~) On May 11, 2003, [redacted] cable noted that the email address associated with Abu Issa ("[redacted]") was used and tracked to a specific address in Wembley, a suburb of London.[1510]

(~~TS//[redacted]//NF~~) On May 28, 2003, a CIA cable documented intelligence obtained by the FBI from interviews of James Ujaama (aka Bilal Ahmed), who was in FBI custody. Ujaama, who had spent time in the U.K. extremist community, reported on an "Issa" in the U.K. who was known as "Issa al-Hindi" and was "good friends with a Pakistani male named Sulyman."[1511] [redacted] had already disseminated intelligence indicating that Sulyman was

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[1505] [redacted] 12095 (222049Z JUN 03)
[1506] ALEC [redacted] (260043Z JUN 03). No individuals related to KSM's reporting were ever identified in Montana. KSM also retracted his statement connecting Issa to the Heathrow Airport plotting. There are no CIA records to indicate that either U.K.-based Issas (Sajid Badat or Dhiren Barot) was ever involved in the Heathrow Airport plotting. *See* intelligence chronology in Volume II and information on the Heathrow plotting in this summary for additional information.
[1507] ALEC [redacted] (302258Z JUN 03)
[1508] ALEC [redacted]
[1509] ALEC [redacted] (182330Z APR 03). The Committee did not have access to U.S. military detainee reporting.
[1510] ALEC [redacted] (052206Z JUN 03). *See also* ALEC [redacted] and [redacted] 93759 (160919Z MAY 03).
[1511] [redacted] 280438Z (280746Z MAY 03)

likely Nisar Jalal, based on reporting from U.S military detainee Moazzem Begg.[1512] Ujaama provided the FBI with the name of the U.K. law office where Sulyman (aka Nisar Jalal) worked, which matched reporting provided to the CIA by [redacted] [foreign partner] authorities in [redacted] 2002.[1513]

(~~TS//[redacted]//NF~~) On June 2, 2003, KSM was shown a sketch of Issa al-Hindi provided to the CIA by the FBI and based on reporting by James Ujaama. KSM stated that the sketch did not look like anyone he knew.[1514]

(~~TS//[redacted]//NF~~) A June 5, 2003, cable states that the FBI had "gleaned new clues about Issa in recent days from detainees, including [from Moazzem] Begg," who was in U.S. military custody. According to the cable, Begg told FBI special agents "that Issa is likely from Wembley, Alperton, or Sudbury." A [redacted] noted that [redacted] [technical collection indicated that Issa was located in Wembley].[1515] U.K. officials highlighted that Issa's reported "good friend," Nisar Jilal (aka Sulyman), also had an address in Wembley.[1516]

(~~TS//[redacted]//NF~~) On September 13, 2003, KSM explained a coding system for telephone numbers for Issa that produced no results.[1517] On October 16, 2003, KSM identified a picture of an individual known as "Nakuda," as Abu Issa al-Britani.[1518] CIA relayed this information to U.K. officials, who responded that this identification was "extremely unlikely."[1519] CIA detainee Khallad bin Attash was shown the same photograph and stated that the photo "definitely" was not Issa.[1520] CIA officers wrote that KSM "is obstructing our ability to acquire good information" on Issa and noting that KSM has "misidentified photos when he knows we are fishing" and "misleads us on telephone numbers."[1521] A cable from the CIA's ALEC Station stated that "KSM appears to have knowingly led us astray on this potentially

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[1512] [redacted] 77599, [redacted] 2002

[1513] [redacted] 280438Z [redacted] 280746Z MAY 03), [redacted] 77599, [redacted] 2002. Ujaama provided detailed information on Issa al-Hindi, including a description, biographical data, and information on Issa al-Hindi's contacts, which could be used to locate and identify Issa al-Hindi.

[1514] [redacted] 11909 (022030Z JUN 03)

[1515] ALEC [redacted] (052206Z JUN 03)

[1516] [REDACTED] 94931 [redacted]. The U.K. also reported that, in June of 1999, an individual assessed to be Issa provided Moazzem Begg with telephone numbers for a lawyer known as Sulyman. *See* [REDACTED] 95463 [redacted]; ALEC [redacted].

[1517] [redacted] 12825 (131747Z SEP 03); ALEC [redacted] (141942Z SEP 03); ALEC [redacted] (210159Z OCT 03)

[1518] Email from: [redacted]; to: [redacted], [REDACTED]; cc: [redacted]; subject: KSM and Khallad Issues; date: October 16, 2003, at 5:25:13 PM.

[1519] [redacted] 10053 [redacted]

[1520] ALEC [redacted] (210159Z OCT 03)

[1521] Email from: [redacted]; to: [redacted], [REDACTED]; cc: [redacted]; subject: KSM and Khallad Issues; date: October 16, 2003, at 5:25:13 PM. *See also* email from: [redacted]; to: [REDACTED], [REDACTED]; cc: [redacted], [redacted], [REDACTED], [REDACTED]; subject: Some things to ping Mukie on--cable coming; date: April 11, 2003, at 5:00:12 PM; and ALEC [redacted] (222153Z APR 03).

important, albeit historical, lead [the phone numbers] to one of our most hotly pursued targets."[1522]

(~~TS//[redacted]//NF~~) In October 2003, CIA officers wrote:

> "even with all we have learned from our on-going partnership with [the United Kingdom] and various detainees, we have not been able to obtain accurate locational information, including confirmed phone numbers and timely information on email addresses. Our latest information, based on [foreign partner reporting] and a detainee's assessment [Moazzem Begg in U.S. military custody], is that Issa is believed to currently be located in Wembley, a suburb of London."[1523]

(~~TS//[redacted]//NF~~) In January 2004, [redacted] urged [redacted] [foreign partner] officials to [redacted] interview Nisar Jilal (aka Sulyman) "in light of Ujaama's reporting" from the FBI confirming a relationship between Issa al-Hindi and Nisar Jilal.[1524] Instead, [redacted] [foreign partner] officials began planning an operation [redacted].[1525] One individual [redacted] personally saw Issa al-Hindi on June [redacted], 2003, in the Wembley area of South London. Based on the FBI reporting and the email coverage, U.K. authorities continuously surveilled Nisar Jilal (aka Sulyman) and photographed his associates.[1526] A specific series of photographs was passed by [redacted] [foreign partner] officials to CIA officials [redacted] depicting an individual whom CIA officials wrote "bears a striking resemblance" to the Issa al-Hindi sketch provided by Moazzem Begg, the detainee in U.S. military custody.[1527] The CIA would later write that Moazzem Begg's "description and resulting sketch of U.K. contact Issa al-Hindi" was "compared to a still shot of an unidentified man taken from a surveillance video of UK extremists," and the comparison "revealed that the man in the video probably [was] the elusive Issa al-Hindi."[1528]

(~~TS//[redacted]//NF~~) With the suspicion that the photo was Issa al-Hindi, the CIA's [redacted] requested the photo be "shown to detainees" and requested "immediate feedback."[1529] According to a CIA cable dated June 17, 2004, the suspected Issa al-Hindi

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[1522] ALEC [redacted] (210159Z OCT 03)
[1523] Draft cable included in an email from: [REDACTED]; to: [redacted] and [redacted]; subject: "Abu Issa al-Hindi Targeting Study"; date: October 22, 2003, at 6:49:41 PM.
[1524] ALEC [redacted]
[1525] ALEC [redacted]
[1526] [redacted] 22359 [redacted]; [redacted] 22246 [redacted]. *See also* [REDACTED] email to: [redacted] and others; subject: "For Immed. Coord: Al-Hindi ID Highlight"; date: June 17, 2004, at 3:06:29 PM.
[1527] [REDACTED] 22406 (04 9023184 |17/JUN/2004)
[1528] A June 25, 2004, CIA Serial Flyer entitled, "Guantanamo Bay Detainee Moazzem Begg's Links to Active Operatives."
[1529] [REDACTED] 22406 (04 9023184 |17/JUN/2004)

photograph was shown to KSM, who "confirmed that the unidentified photo depicts al-Hindi."[1530]

(~~TS//~~ [redacted] ~~//NF~~) By July 2, 2004, [redacted] [foreign partner] authorities had informed the CIA that they felt "confident" that Issa's true name was "Dhiren Barot." According to [redacted] reporting, while under surveillance, Issa was observed talking for an extended period of time [redacted] in the vicinity where James Ujaama (in FBI custody) had placed Issa.[1531] [redacted] [foreign partner] authorities observed that Issa drove [redacted] to a residence in Wembley. A record search of the address in Wembley by U.K. authorities identified a passport application with a photograph that matched the Issa under surveillance. The name on the passport application was Issa's true name, Dhiren Barot.[1532]

(~~TS//~~ [redacted] ~~//NF~~) Once identified, Dhiren Barot remained under U.K. surveillance as the U.K. collected additional information on Dhiren Barot and his activities. On July [redacted], 2004, an al-Qa'ida associate named Abu Talha al-Pakistani was arrested and detained by Pakistani officials.[1533] CIA records indicate that the arrest occurred after [redacted] identified when and where Abu Talha al-Pakistani would be at [redacted].[1534] On July [redacted], 2004, after Abu Talha's capture, Pakistani authorities conducted a series of raids and seized a laptop computer that was shared with the U.S. government.[1535] The computer was suspected of belonging to senior al-Qa'ida member, Hamza Rabi'a,[1536] and contained a series of undated, English-language casing reports. In all, the computer contained over 500 photographs, maps, sketches, and scanned documents associated with apparent casings.[1537]

(~~TS//~~ [redacted] ~~//NF~~) On July 31, 2004, KSM was questioned about the casing reports. KSM stated that he did not know of any al-Qa'ida plans by Abu Talha or anyone else to target the Citigroup/Citibank building, Prudential Group building, or the United Nations building in

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[1530] CIA records indicate that other detainees also identified this individual as Issa al-Hindi.

[1531] *See* [redacted] 280438Z (280746Z MAY 03) and [redacted] 77599 [redacted]. Ujaama provided detailed information on Issa al-Hindi, including a description, biographical data, and information on Issa al-Hindi's contacts, which could be used to locate and identify Issa al-Hindi. There are no specific CIA records of James Ujaama providing exact location data for Issa al-Hindi. As noted, however, senior CIA personnel expressed frustration that the U.K. was not sharing all known information on their investigations, writing in August 2003 that "[the FBI is] clearly working closely with the [U.K. service] on these matters and [the CIA is] at the mercy" of what it is told. As described in this summary, James Ujaama was in FBI custody.

[1532] [redacted] 23226 [redacted]

[1533] CIA WASHINGTON DC [redacted].

[1534] [redacted] 3924 [redacted]; email from: [REDACTED]; to [redacted], [REDACTED], [REDACTED]; cc: [redacted], [REDACTED], [REDACTED]; subject: DRAFT DCI SPECIAL ITEM – 14Jul04; date: July 14, 2004, at 03:48 PM. This information was obtained from sources unrelated to the CIA's Detention and Interrogation Program.

[1535] [redacted] 3924 [redacted] 3889 [redacted]

[1536] Email from: [redacted]; to: James Pavitt, [REDACTED], [redacted], Rodriguez, John P. Mudd, [REDACTED], [redacted], [REDACTED], [redacted]; cc: [redacted], [REDACTED]; subject: Laptop docex from recent raid may yield pre-election threat information; date: July [redacted], 2004, at 07:35 AM.

[1537] *See* Terrorist Threat Integration Center, Terrorist Threats to US Interests Worldwide. *See also* [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; and [redacted].

New York described in the documents.[1538] On the same day, Abu Talha, who was in the custody of a foreign government, stated the "U.S. casing reports were from Abu Issa."[1539] Issa, aka Dhiren Barot, was still under surveillance by U.K. authorities at this time.[1540]

(~~TS//~~ [redacted] ~~//NF~~) On August 1, 2004, Abu Talha was shown a photograph of Dhiren Barot and "immediately identified him as Issa." Abu Talha—who was cooperating with foreign government authorities—described Issa's visit to Pakistan from February to April 2004, during which he stated "Issa" (aka Dhiren Barot) met with Hamza al-Rabi'a on multiple occasions to "discuss operations in the United Kingdom and targets already cased in the United States." Abu Talha stated that Issa believed his activities and identity were not known to the authorities.[1541]

(~~TS//~~ [redacted] ~~//NF~~) An August 3, 2004, cable stated that "analysis of information on [the] hard drive" of the computer seized "revealed a document… that is a detailed study on the methodologies to affect a terrorist attack." According to the cable, "the study describes the operational and logistics environment in the UK." The document is divided into two main parts. The first part includes seven chapters on the topic entitled "rough presentation for gas limo project." The second part is entitled "rough presentation for radiation (dirty bomb) project." The "gas limo project" section concludes that the most feasible option would be to use a limousine to deliver explosives, while the "dirty bomb" project section states that smoke detectors could be used to deliver the radioactive substance americium-147. The document proposes to use 10,000 smoke detectors as part of an explosive device to spread this radioactive element. In addition, the document discusses the vulnerabilities of trains and the possibilities of hijacking and utilizing gasoline tankers to conduct a terrorist attack.[1542]

(~~TS//~~ [redacted] ~~//NF~~) On the same day the analysis was disseminated, August 3, 2004, U.K. authorities arrested Dhiren Barot and 12 other individuals, and seized "over 100 hard-drives."[1543] On August 7, 2004, the U.K. shared [redacted] associated with Dhiren Barot with the U.S. government. The [redacted] [information provided] included copies of casing reports related to the United States and the United Kingdom.[1544] On August 17, 2004, U.K. authorities charged nine individuals in relation to the Dhiren Barot, aka Issa al-Hindi, investigation.[1545] U.K. authorities informed the CIA that "[d]espite intelligence about the activities of the network, the recent charges of the individuals involved or linked to this planning

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[1538] [redacted] 1477 [redacted]

[1539] Email from: [redacted]; to: James Pavitt, [REDACTED], [redacted], Rodriguez, John P. Mudd, [REDACTED], [redacted], [REDACTED], [redacted]; cc: [redacted], [REDACTED]; subject: Laptop docex from recent raid may yield pre-election threat information; date: July [redacted], 2004, at 07:35 AM.

[1540] Email from: [redacted]; to: James Pavitt [REDACTED], [redacted], Rodriguez, John P. Mudd, [REDACTED], [redacted], [REDACTED], [redacted]; cc: [redacted], [REDACTED]; subject: Laptop docex from recent raid may yield pre-election threat information; date: July [redacted], 2004, at 07:35 AM.

[1541] DIRECTOR [redacted]. *See also* reissue, DIRECTOR [redacted].

[1542] DIRECTOR [redacted] (032140Z AUG 04)

[1543] CIA [redacted] (261529Z AUG 04) / [redacted]; [REDACTED] 25533 (231257Z AUG 04)

[1544] CIA Operational Developments Against Al Qa'ida Worldwide, 09 August 2004, 1700 Hours.

[1545] [redacted]

were mainly possible owing to the recovery of terrorist-related materials during searches of associated properties and vehicles following their arrests."[1546]

(~~TS//[redacted]//NF~~) On August 23, 2004, the CIA received an update from [redacted] [foreign partner] authorities that noted the "research conducted by the [Barot] network into central London hotels and railway stations [is] likely to be exploratory rather than representing a detailed operational plan."[1547] A report from the [redacted] [foreign partner] stated:

> "material that is emerging from [the United Kingdom] investigation, combined with detainee reporting from senior al-Qa'ida members [an apparent reference to Abu Talha al-Pakistani's reporting on U.K. targeting in Pakistani custody], strongly suggests that Barot's cell was planning a terrorist attack in the U.K., what is not yet clear is how close the cell was to mounting an attack or what, if any, targets had been finalized."[1548]

(~~TS//[redacted]//NF~~) On August 30, 2004, talking points on the Dhiren Barot case were prepared by CIA officers. A CIA officer wrote that KSM's reporting on contact numbers for Issa was "a dead end" and "that it appears KSM was protecting al-Hindi."[1549] The talking points highlighted the cyber capabilities enabled by the USA PATRIOT Act in the investigation of Dhiren Barot, stating:

> "Probably the most important intelligence tool we used in breaking this [Dhiren Barot] case was our cyber capability enabled by the USA Patriot Act. From beginning to end cyber played a role, but it was not the only tool that was used. HUMINT and SIGINT threads were followed and contributed to our

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[1546] [REDACTED] 25533 (231257Z AUG 04). *See also* CIA [redacted] (242144Z AUG 04). Internal CIA communications related to August 30, 2004, CIA talking points concerning Dhiren Barot state that a sketch of Issa al-Hindi, by U.S. military detainee Moazzem Begg, ultimately played a central role, as a surveillance photo of a suspected Issa al-Hindi "looked so much like the sketch." The CIA talking points identify [redacted] [technical collection] capabilities as the CIA's primary contribution to the investigation, stating: "Probably the most important intelligence tool we used in breaking this case was our [redacted] [technical collection] enabled by the USA Patriot Act. From beginning to end [redacted] [technical collection] played a role, but it was not the only tool that was used. HUMINT and SIGINT threads were followed and contributed to our understanding of the [redacted] [technical collection] and also in finding new [redacted] [technical collection] leads. Exploitation of computers and other information obtained in raids before and during the case also contributed significantly, as did surveillance. However, none of these tools are stand-alones. Good old fashioned hard targeting and analysis of these maddeningly vague and disparate and incomplete threads of information was the glue that put it all together." *See* "Capture of Al-Qa'ida Operative Abu Issa al-Hindi (aka Dhiren Barot, aka Abu Issa al-Britani)," multiple iterations of talking points, including the revised version cited, found in an email from: [REDACTED]; to: [REDACTED], with multiple ccs; subject: "IMMEDIATE: al-Hindi TPs for ADCI Tuesday Briefing of Kerry/Edwards"; date: August 30, 2004, at 02:51 PM.

[1547] [REDACTED] 25533 (231257Z AUG 04)

[1548] [REDACTED] 25533 (231257Z AUG 04)

[1549] In an email, a CIA officer commented on talking points prepared for "ADCI Tuesday Briefing of Kerry/Edwards" on Issa al-Hindi, stating that "KSM didn't decode the numbers for us (he just provided info on how he may have encoded the numbers—which when used didn't result in valid numbers) and address with the number didn't exist; it was a dead end, and it appears KSM was protecting al-Hindi." *See* email from: [REDACTED]; to: [REDACTED], with multiple ccs; subject: "IMMEDIATE: al-Hindi TPs for ADCI Tuesday Briefing of Kerry/Edwards"; date: August 30, 2004, at 02:51 PM, which contains comments on previous drafts of talking points.

> understanding of the cyber messages and also in finding new cyber leads. Exploitation of computers and other information obtained in raids before and during the case also contributed significantly, as did surveillance. However, none of these tools are stand-alones. Good old fashioned hard targeting and analysis of these maddeningly vague and disparate and incomplete threads of information was the glue that put it all together."[1550]

(~~TS//[redacted]//NF~~) On September 10, 2004, the Interagency Intelligence Committee on Terrorism (IICT) disseminated a report entitled, "Homeland: Reappraising al-Qa'ida's Election Threat," which states:

> "We do not know the projected timeframe for any attacks Issa was planning to execute in the UK, but it is unlikely he would have been ready to strike in the near term. Upon returning to the UK in mid-2004, Issa attempted to gather materials to build explosives for future attacks in the UK… [U.K.] authorities have been unable to locate any explosives precursors, and it is possible he had not yet acquired the necessary materials at the time of his detention. The detainee [Abu Talha al-Pakistani] also noted that some of Issa's operatives required further training—most likely in explosives—and that [Issa] intended to send an associate to Pakistan for three months to receive instruction from senior al-Qa'ida explosives experts."[1551]

The assessment adds, "Issa appears to have been in an early phase of operational planning at the time of his capture."[1552]

(~~TS//[redacted]//NF~~) In November 2004, [redacted] authorities informed the CIA that "it was largely through the investigation of Nisar Jalal's associates that [the U.K.] was able to identify Dhiren Barot as being [identifiable] with Issa al-Hindi."[1553]

(~~TS//[redacted]//NF~~) A December 14, 2004, FBI Intelligence Assessment entitled, "The Gas Limos Project: An al-Qa'ida Urban Attack Plan Assessment," evaluated "the feasibility and lethality of this plot" based on "documents captured during raids" against "al-Qa'ida operatives in Pakistan and the United Kingdom in July and August 2004, and on custodial interviews conducted in the weeks following these raids." The FBI concluded that "the main plot presented in the Gas Limos Project is unlikely to be as successful as described." The report continued: "We assess that the Gas Limos Project, while ambitious and creative, is far-fetched."[1554]

[1550] "Capture of Al-Qa'ida Operative Abu Issa al-Hindi (aka Dhiren Barot, aka Abu Issa al-Britani)" multiple iterations of talking points, including the revised version cited, found in an email from: [REDACTED]; to: [REDACTED], with multiple ccs; subject: "IMMEDIATE: al-Hindi TPs for ADCI Tuesday Briefing of Kerry/Edwards"; date: August 30, 2004, at 02:51 PM.

[1551] Disseminated intelligence product by the IICT entitled, "Homeland: Reappraising al-Qa'ida's "Election Threat," dated September 10, 2004.

[1552] Disseminated intelligence product by the IICT entitled, "Homeland: Reappraising al-Qa'ida's "Election Threat," dated September 10, 2004.

[1553] [REDACTED] 29759 [redacted]

[1554] FBI Intelligence Assessment, "The Gas Limos Project: An al-Qa'ida Urban Attack Plan Assessment," dated December 14, 2004.

(~~TS//~~[redacted]~~//NF~~) On December 12, 2005, the CIA assessed that "while KSM tasked al-Hindi to go to the US to surveil targets, he was not aware of the extent to which Barot's planning had progressed, who Issa's co-conspirators were, or that Issa's planning had come to focus on the UK."[1555]

(~~TS//~~[redacted]~~//NF~~) On November 7, 2006, Dhiren Barot was sentenced to life imprisonment in the United Kingdom. On May 16, 2007, Dhiren Barot's sentence was reduced to 30 years after a British Court of Appeal found that expert assessments describing the plot as "amateurish," "defective," and unlikely to succeed were not provided to the sentencing judge.[1556]

5. The Identification, Capture, and Arrest of Iyman Faris

(~~TS//~~[redacted]~~//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and produced critical, otherwise unavailable intelligence, which thwarted plots and saved lives. Over a period of years, the CIA provided the "identification," "arrest," "capture," "investigation," and "prosecution" of Iyman Faris as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These representations were inaccurate. Iyman Faris was identified, investigated, and linked directly to al-Qa'ida prior to any mention of Iyman Faris by KSM or any other CIA detainee. When approached by law enforcement, Iyman Faris voluntarily provided information and made self-incriminating statements. On May 1, 2003, Iyman Faris pled guilty to terrorism-related charges and admitted "to casing a New York City bridge for al Qaeda, and researching and providing information to al Qaeda regarding the tools necessary for possible attacks on U.S. targets."

(~~TS//~~[redacted]~~//NF~~) *Further Details:* Iyman Faris was an Ohio-based truck driver tasked by KSM with procuring "tools and devices needed to collapse suspension bridges," as well as tools that could be used to derail trains.[1557] Faris had met KSM through his self-described "best friend," Maqsood Khan,[1558] who was a Pakistan-based al-Qa'ida facilitator and Majid Khan's uncle.[1559]

(~~TS//~~[redacted]~~//NF~~) The identification and arrest of Iyman Faris is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the identification, capture, and/or arrest of Iyman Faris as an example of how "[k]ey intelligence

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[1555] Email from: [REDACTED]; to: [REDACTED] and others; subject: "Re: need answer: request for any info deemed operationally sensitive be passed to brits concerning Dhiren Barot (aka Issa al-Hindi)"; date: December 12, 2005, at 6:08:01 PM, in preparation of a document entitled, "Addendum in Respect of Disclosure - Al Hindi.pdf."
[1556] *See* Royal Courts of Justice Appeal, Barot v R [2007], EWCA Crim 1119 (16 May 2007). The expert assessments determined that the plotting involved "a professional-looking attempt from amateurs who did not really know what they were doing." *See also* June 15, 2007, *Bloomberg* news article entitled, "Terrorist Gang Jailed for Helping London and New York Bomb Plot."
[1557] WHDC [redacted] (242226Z MAR 03) (includes information acquired by the FBI on March 20, 2003)
[1558] ALEC [redacted] (261745Z MAR 03)
[1559] ALEC [redacted] (180200Z MAR 03). *See also* [redacted].

collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1560] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1561]

[1560] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005.

[1561] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid

(~~TS//[redacted]//NF~~) For example, in a July 2003 CIA briefing for White House officials on the CIA interrogation program, the CIA represented that "[m]ajor threats were countered and attacks averted," and that "[t]ermination of this [CIA] program will result in loss of life, possibly extensive." The CIA further represented that "the use of the [CIA's enhanced interrogation] techniques has produced significant results" and "saved lives."[1562] Under the heading, "RESULTS: MAJOR THREAT INFO," a briefing slides states:

> "KSM: Al-Qa'ida Chief of Operations… - *Identification* of Iyman Faris"[1563]

(~~TS//[redacted]//NF~~) Similarly, on February 27, 2004, DDO James Pavitt responded to the CIA Inspector General's draft Special Review and included a representation related to Iyman Faris. Pavitt stated that the Inspector General's Special Review should have come to the "conclusion that our efforts have thwarted attacks and saved lives," and that "EITs (including the water board) have been indispensable to our successes."[1564] Pavitt provided materials to the OIG that stated:

> "Specifically, as a result of the lawful use of EITs, KSM identified a truck driver who is now serving time in the United States for his support to al-Qa'ida."[1565]

The final CIA Inspector General Special Review, "Counterterrorism Detention and Interrogation Program," published in May 2004, states:

Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "SWIGERT and DUNBAR," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1562] CIA memorandum for the Record, "Review of Interrogation Program on 29 July 2003," prepared by CIA General Counsel Scott Muller, dated August 5, 2003; briefing slides entitled, "*CIA Interrogation Program,*" dated July 29, 2003, presented to senior White House officials.

[1563] Italics added. CIA memorandum for the Record, "Review of Interrogation Program on 29 July 2003," prepared by CIA General Counsel Scott Muller, dated August 5, 2003; briefing slides entitled, "*CIA Interrogation Program,*" dated July 29, 2003, presented to senior White House officials.

[1564] Memorandum to the Inspector General from James Pavitt, CIA's Deputy Director for Operations, dated February 27, 2004, with the subject line, "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program' (2003-7123-IG)," Attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities," dated February 24, 2004.

[1565] Memorandum to the Inspector General from James Pavitt, CIA's Deputy Director for Operations, dated February 27, 2004, with the subject line, "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program' (2003-7123-IG)," Attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities," dated February 24, 2004.

> "Khalid Shaykh Muhammad's information also *led to the investigation and prosecution of Iyman Faris*, the truck driver arrested in early 2003 in Ohio."[1566]

This passage in the CIA Inspector General Special Review was declassified and publicly released on August 24, 2009.[1567]

(~~TS//[redacted]//NF~~) Likewise, information prepared by the CIA for CIA Director Leon Panetta in February 2009 on the effectiveness of the CIA's enhanced interrogation techniques states that the "CIA assesses… the techniques were effective in producing foreign intelligence," and that "most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." The document provides examples of "some of the key captures, disrupted plots, and intelligence gained from HVDs interrogated," including the "*arrest* of Iyman Faris."[1568] In March 2009, the CIA provided a three-page document to the chairman of the Committee stating, "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means," before listing "Iyman Faris" as one of the "key captures" resulting from the CIA interrogation program.[1569]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the identification and capture of Iyman Faris in nine of the 20 documents and briefings provided to policymakers and the Department of Justice between July 2003 and March 2009.[1570]

[1566] Italics added. CIA Office of Inspector General, Special Review – Counterterrorism Detention and Interrogation Program, (2003-7123-IG), May 2004.

[1567] The relevant sections of the Special Review were also cited in the OLC's May 30, 2005, memorandum, which stated that "we understand that interrogations have led to specific, actionable intelligence," and that "[w]e understand that the use of enhanced techniques in the interrogations of KSM, Zubaydah and others… has yielded critical information." (*see* memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May be Used in the Interrogation of High Value Al Qaeda Detainees, p. 9 (DTS #2009-1810, Tab 11), citing *Special Review* at 86, 90-91). Like the Special Review, the OLC memorandum has been declassified with redactions.

[1568] Italics added. CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)." The documents include "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted."

[1569] CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, at 3:46 PM, entitled, "[SWIGERT and DUNBAR]" (DTS #2009-1258).

[1570] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other records found that the CIA's Detention and Interrogation Program and the CIA's enhanced interrogation techniques played no role in the identification and capture of Iyman Faris.[1571]

(~~TS//[redacted]//NF~~) CIA records indicate that Iyman Faris was known to the U.S. Intelligence Community prior to the attacks of September 11, 2001. On March [redacted], 2001, the FBI opened an international terrorism investigation targeting Iyman Faris.[1572] According to CIA records, the "predication of the [FBI] Faris investigation was information provided by [foreign] authorities that [revealed] Faris' telephone number had been called by Islamic extremists operating in France, Belgium, Turkey and Canada," including "millennium bomber" Ahmad Ressam.[1573] Ressam, currently serving a 65-year U.S. prison term, was arrested on December 14, 1999, en route to Los Angeles International Airport with explosives in the trunk of his car. According to CIA records, as "a result of a post 9/11 lead," the FBI interviewed Iyman Faris shortly after the attacks of September 11, 2001.[1574] On November [redacted], 2001, the FBI closed its investigation of Iyman Faris for unknown reasons.[1575]

(~~TS//[redacted]//NF~~) On March 5, 2003, Majid Khan was taken into Pakistani custody.[1576] That same day, FISA coverage of Majid Khan's residence in Maryland indicated that Majid Khan's [redacted] made a suspicious phone call to an individual at a residence associated with Iyman Faris.[1577] The call included discussion of Majid Khan's possible arrest and potential FBI surveillance of [redacted], who asked the individual in Ohio if he had been approached and questioned.[1578] [redacted] warned the Ohio-based individual not to contact anyone using his phone.[1579] That same day, [redacted] informed FBI special agents that the other party to the intercepted conversation was Iyman Faris.[1580] By March 6, 2003, the FBI had officially reopened its international terrorism investigation of Iyman Faris.[1581]

[1571] The CIA's June 2013 Response acknowledges that "we incorrectly stated or implied that KSM's information led to the investigation of Faris." Elsewhere, the CIA's June 2013 Response states that "[CIA] imprecisely characterized KSM's information as having 'led' to the investigation of Iyman Faris, rather than more accurately characterizing it as a key contribution to the investigation." As described in more detail in Volume II, the CIA and FBI had significant information on Iyman Faris prior to any reporting from KSM. The CIA's June 2013 Response also states that the CIA's inaccurate statements that KSM's reporting "led" to the investigation of Iyman Faris were only made "[i]n a few cases," and "[i]n a small number of… representations." As described in the full Committee Study, the CIA repeatedly represented that KSM's reporting "led" to the investigation of Iyman Faris, and was responsible for the "identification" and "capture" of Iyman Faris.

[1572] Information provided by the FBI to the Committee on November, 30, 2010. Records do not provide an explanation for the closing of the investigation.

[1573] WHDC [redacted] (102129Z MAR 03). *See also* ALEC [redacted] (180200Z MAR 03).

[1574] ALEC [redacted] (261725Z MAR 03)

[1575] Information provided to the Committee by the FBI on November, 30, 2010.

[1576] [redacted] 13658 (050318Z MAR 03). *See* the section on the capture of Majid Khan in this summary and in Volume II.

[1577] ALEC [redacted] (060353Z MAR 03)

[1578] ALEC [redacted] (060353Z MAR 03)

[1579] ALEC [redacted] (060353Z MAR 03)

[1580] FBI information relayed in ALEC [redacted]

[1581] FBI information confirmed for the Committee on November, 30, 2010.

(~~TS//[redacted]//NF~~) While U.S. law enforcement investigations of Iyman Faris moved forward, Majid Khan, in foreign government custody, was being questioned by foreign government interrogators. According to CIA records, the interrogators were using rapport-building techniques, confronting Khan with inconsistencies in his story and obtaining information on Majid Khan's al-Qa'ida connections.[1582] On March 11, 2003, Majid Khan identified a photo of Iyman Faris.[1583] Majid Khan stated that he knew Faris as "Abdul Raof," and claimed Faris was a 35-year-old truck driver of Pakistani origin who was a "business partner of his father."[1584] In addition to describing business deals Iyman Faris was involved in with Khan's family, Majid Khan stated that Faris spoke Urdu and excellent English and had a "colorful personality."[1585] The next day, while still in foreign government custody, Majid Khan stated that Iyman Faris was "an Islamic extremist."[1586] According to CIA cables, on March 14, 2003, Majid Khan provided "more damning information" on Iyman Faris, specifically that Faris was a "mujahudden during the Afghan/Soviet period" and was a close associate of his uncle, Maqsood Khan. Maqsood was a known al-Qa'ida associate whom Majid Khan had already admitted was in contact with senior al-Qa'ida members. Majid Khan told foreign government interrogators that it was Maqsood who provided the money for Majid Khan's al-Qa'ida-related travels.[1587] Majid Khan further stated that "after the KSM arrest became public knowledge," Iyman Faris contacted Majid Khan's family and requested the family pass a message to Maqsood Khan regarding the status of KSM.[1588] This information on Iyman Faris was acquired prior to—and independently of—any reporting from the CIA's Detention and Interrogation Program.[1589]

(~~TS//[redacted]//NF~~) On March 10, 2003, in response to a requirements cable from CIA Headquarters reporting that al-Qa'ida was targeting U.S. suspension bridges,[1590] KSM stated that any such plans were "theoretical" and only "on paper." He also stated that no one was currently pursuing such a plot.[1591] KSM repeated this assertion on March 16, 2003,[1592] noting that, while UBL officially endorsed attacks against suspension bridges in the United States, he "had no planned targets in the US which were pending attack and that after 9/11 the US had become too hard a target."[1593] On neither occasion did KSM reference Iyman Faris.

1582 [redacted] 13678 (070724Z MAR 03). The cable states: "a [foreign government officer] talked quietly to [Majid Khan] alone for about ten minutes before the interview began and was able to establish an excellent level of rapport. The first hour and [a] half of the interview was a review of bio-data and information previously [reported]. When [foreign government interrogators] started putting pressure on [Majid Khan] by pulling apart his story about his 'honeymoon' in Bangkok and his attempt to rent an apartment, safehouse, for his cousin [Mansoor Maqsood, aka Iqbal, aka Talha, aka Moeen, aka Habib], at 1400, [Majid Khan] slumped in his chair and said he would reveal everything to officers…."

1583 [redacted] 13758 [redacted]; FBI information later relayed in ALEC [redacted]; and information provided to the Committee by the FBI on November, 30, 2010. *See* FBI case file [redacted].

1584 [redacted] 13758

1585 [redacted] 13758

1586 [redacted] 13765

1587 [redacted] 13785 [redacted] 13713 [redacted]

1588 [redacted] 13785

1589 For additional information, *see* intelligence chronology in Volume II.

1590 ALEC [redacted] (071757Z MAR 03)

1591 [redacted] 10752 (102320Z MAR 03); DIRECTOR [redacted] (122101Z MAR 03). *See also* [redacted].

1592 [redacted] 10858 (170747Z MAR 03)

1593 [redacted] 10858 (170747Z MAR 03)

(~~TS//[redacted]//NF~~) On March 15, 2003, deputy chief of ALEC Station, [redacted], who was reading the intelligence from the foreign government interrogations of Majid Khan, requested a photograph of Majid Khan and additional information to use with KSM.[1594] In response, CIA Headquarters sent the detention site photographs of Majid Khan's family and associates, including Iyman Faris.[1595]

(~~TS//[redacted]//NF~~) On March 17, 2003, eleven days after the FBI officially reopened its investigation of Iyman Faris, KSM was shown photographs of both Iyman Faris and Majid Khan.[1596] According to CIA cables, KSM was also asked detailed questions based on email communications, which a cable stated served as "an effective means to convey to [KSM] the impression that the USG already possessed considerable information and that the information would be used to check the accuracy of his statements."[1597] In this context, KSM identified the photograph of Iyman Faris as a "truck driver" and a relative of Majid Khan. KSM claimed that he could not remember the truck driver's name. KSM described the "truck driver" as a "colorful character who liked to drink and have girlfriends and was very interested in business."[1598] The next day, March 18, 2003, KSM stated that in February 2002 he tasked the "truck driver" to procure specialized machine tools that would be useful to al-Qa'ida to loosen the nuts and bolts of suspension bridges in the United States. According to KSM, in March 2002, the "truck driver" asked Mansour Khan [son of Maqsood Khan][1599] to inform KSM that he (the "truck driver") could not find such tools. KSM stated that he made no further requests of the "truck driver."[1600]

(~~TS//[redacted]//NF~~) According to a CIA cable, on the evening of March 20, 2003, the FBI informed the CIA that "Ohio police had been following [Iyman] Faris for 'some time,' and had stopped him and questioned him about his relationship to Shoukat Ali Khan [Majid Khan's

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[1594] Memorandum for: [redacted], [REDACTED]; from: [REDACTED],OFFICE: [redacted]/[DETENTION SITE BLUE]; subject: Baltimore boy and KSM; date: 15 March 2003, at 07:08:32 PM.

[1595] Email from: [redacted]; to: [REDACTED]; cc: [REDACTED]; subject: Re: Baltimore boy and KSM; date: March 15, 2003, at 2:32 PM; ALEC [redacted] (152212Z MAR 03).

[1596] Having read reporting from the interrogations of Majid Khan, one of KSM's debriefers at the CIA's DETENTION SITE BLUE, deputy chief of ALEC Station, [redacted] requested the photographs to "use with Ksm [sic] et al." (*See* Memorandum for [redacted], [REDACTED]; from [REDACTED],OFFICE: [redacted]/[DETENTION SITE BLUE]; subject: Baltimore boy and KSM; date: 15 March 2003, at 07:08:32 PM.) The photographs were sent to DETENTION SITE BLUE shortly thereafter. *See* ALEC [redacted] (152212Z MAR 03).

[1597] [redacted] 10865 (171648Z MAR 03), disseminated as [redacted]; [redacted] 10866 (171832Z MAR 03); [redacted] 10870 (172017Z MAR 03)

[1598] [redacted] 10866 (171832Z MAR 03). KSM explained that Majid Khan was married to Maqsood Khan's niece, and that "another Maqsood Khan relative was a truck driver in Ohio." KSM stated that he had met him "on at least one occasion" at the home of Maqsood Khan in Karachi in approximately 1999 or 2000. This information was also sent on March 18, 2003, in ALEC [redacted] (180200Z MAR 03). *See also* [redacted].

[1599] ALEC [redacted] (261745Z MAR 03)

[1600] [redacted] 10886 (182219Z MAR 03); ALEC [redacted] (180200Z MAR 03). In assessing the session for CIA Headquarters, personnel at DETENTION SITE BLUE wrote that "KSM will selectively lie, provide partial truths, and misdirect when he believes he will not be found out and held accountable." On the other hand, they wrote that "KSM appears more inclined to make accurate disclosures when he believes people, emails, or other source material are available to the USG for checking his responses." *See* [redacted] 10884 (182140Z MAR 03).

father] of Baltimore."[1601] According to a CIA officer, "[w]hen the FBI approached Faris he talked voluntarily."[1602] Records indicate that Faris "initially claimed to know Shoukat Ali Khan though the gas station business" and agreed to take a polygraph examination. According to FBI records, prior to the polygraph, Faris admitted to being associated with KSM and provided details on his relationships with al-Qa'ida members in Pakistan.[1603] Specifically, Iyman Faris told FBI and Ohio police that he had met KSM twice and had been "tasked with procuring items." Faris detailed how KSM had a plan "to cut the suspension cables on the Brooklyn Bridge to cause its collapse using gas cutters."[1604] Faris maintained that he "thought that the task to take down the bridge was impossible"[1605] and did not take further action.[1606]

[1601] *See* WHDC [redacted] (242226Z MAR 03), which discusses information obtained by FBI officials on March 20, 2003; and FBI case file [redacted]

[1602] CIA Office of Inspector General interview of [redacted], Chief of the [redacted] Branch of the UBL Group at CTC, by [redacted], Office of the Inspector General, July 30, 2003. The interview report states: "CIA initiated the lead (not from detainees) to an individual believed to live in Baltimore – Majid Khan. He was believed to be in contact with a nephew of [KSM]. The FBI initiated trash coverage (using their special authorities to tap e-mail) on the Baltimore residence where Khan had lived and family members still lived. Meanwhile, using [redacted] FISA coverage [redacted] the Agency, with the help of [a foreign government], located [Majid] Khan. The Baltimore house placed a call to Ohio (to Iyman Faris) which became another FBI lead. When the FBI approached Faris he talked voluntarily."

[1603] *See* FBI case file [redacted]; WHDC [redacted] (211522Z MAR 03) and WHDC [redacted] (242226Z MAR 03). Faris described Maqsood Khan as "the 'right foot' of Usama bin Ladin (UBL)."

[1604] *See* WHDC [redacted] (242226Z MAR 03); and WHDC [redacted] (211522Z MAR 03) (discusses information obtained by FBI officials on March 20, 2003).

[1605] ALEC [redacted] (261745Z MAR 03). A senior CIA counterterrorism official, who had previously served as chief of the Bin Ladin Unit, commented on the intelligence obtained from Iyman Faris on the Brooklyn Bridge plotting, stating: "i guess we have to take these guys at their word, but if these are the types of attacks ksm was planning, [KSM] was more of a nuisnace [sic] than a threat and you have to wonder how he ever thought of anything as imaginative as the 11 sept attacks. i wonder if he had two tracks going: ops like 11 sept and a whole other series half-baked, secular palestinian-style ops like those majid khan, faris, and the other yahoos are talking about. perhaps he believe [sic] if we caught the yahoos, we would relax a bit and they would be better able to hit us with an effective attack? the other alternative, is that ksm himself is a yahoo. strange stuff." (*See* email from: [redacted]; to: [redacted], [redacted], [redacted], [redacted], [REDACTED]; subject: attacks in conus; date: March 25, 2003, at 6:19:18 AM, referencing cable WHDC [redacted] (242226Z MAR 03), with the subject line, "EYES ONLY: Majid Khan: Imminent al-Qa'ida Plots to Attack NYC and WDC Targets Aborted by KSM Capture.") In a separate email, the senior official wrote: "again, odd. ksm wants to get 'machine tools' to loosen the bolts on bridges so they collapse? did he think no one would see or hear these yahoos trying to unscrew the bridge? that everyone would drive by and just ignore the effort to unbolt a roadway? and what about opsec: 'yup, we were just going to recruit a few of the neighbors to help knock down the brooklyn bridge.'" *See* email from: [redacted]; to: [redacted], [redacted], [redacted], [redacted]; date: March 25, 2003, at 6:35:18 AM.

[1606] ALEC [redacted] (261745Z MAR 03). During this period, the CIA was receiving updates from the FBI debriefings of Iyman Faris. *See* TRRS-03-03-0610, referenced in [redacted] 10984 (242351Z MAR 03). On March 20, 2003, KSM confirmed that he had tasked "the truck driver…to procure machine tools that would be useful to al-Qa'ida in its plan to loosen the nuts and bolts of suspension bridges," but stated he had "never divulged specific targeting information to the truck driver." (*See* [redacted] 10910 (202108Z MAR 03).) A CIA cable from March 24, 2003, noted that KSM's CIA interrogators were "reviewing latest [redacted] readout on Majid Khan debriefs [who was in foreign government custody] and FBI [intelligence reports] from debriefings of the truck driver Faris Iyman [sic]," and that the CIA team was therefore "focused entirely on sorting out the information on Majid's claim…as well as truck driver details on the threat." (*See* [redacted] 10984 (242351Z MAR 03).) According to another cable, KSM indicated that while the original plan was to sever the cables, he determined that it would be easier to acquire machine tools that would allow the operatives to "loosen the large nuts and bolts of the bridges." (*See* [redacted] 10985 (242351Z MAR 03).) The disseminated intelligence report from this interrogation added that KSM stated his

(~~TS//~~ [redacted] ~~//NF~~) Over several weeks Iyman Faris continued to voluntarily cooperate with law enforcement officials and engaged in efforts to assist in the capture of Maqsood Khan.[1607] Faris provided additional details on his activities related to the Khan family, KSM, his meeting with UBL, and two extremists in the United States who had discussed wanting "to kill Americans in a Columbus area shopping mall with a Kalashnikov automatic rifle."[1608] On April 22, 2003, "Faris had accepted a plea agreement"[1609] and continued to cooperate, including by sending email messages to al-Qa'ida members in Pakistan for the purposes of intelligence collection.[1610] On May 1, 2003, Faris was transported from Quantico, Virginia, where he was voluntarily residing and working with the FBI, to a federal court in Alexandria, Virginia, where he pled guilty to material support to terrorism charges.[1611] He was subsequently sentenced to 20 years in prison.[1612]

(~~TS//~~ [redacted] ~~//NF~~) On April 3, 2003, the Interagency Intelligence Committee on Terrorism (IICT) assessed that the use of tools to loosen the bolts of suspension bridges were "methods that appear to be unrealistic."[1613]

6. The Identification, Capture, and Arrest of Sajid Badat

(~~TS//~~ [redacted] ~~//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and produced critical, otherwise unavailable intelligence, which thwarted plots and saved lives. Over a period of years, the CIA provided the identification, discovery, capture, and arrest of Sajid Badat as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These representations were inaccurate. U.K. domestic investigative efforts, reporting from foreign intelligence services, international law enforcement efforts, and U.S. military reporting resulted in the identification and arrest of Sajid Badat.

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last communication with Iyman Faris was shortly before his capture on March 1, 2003, and that he (KSM) was "severely disappointed to learn that Iyman had not yet been successful in his mission to purchase the necessary materials." (*See* DIRECTOR [redacted] (25111Z MAR 03).) Later, on April 10, 2003, a CIA cable stated that KSM told CIA interrogators that al-Qa'ida members had "cased" the Brooklyn Bridge and that KSM had discussed attacking suspension bridges with other senior al-Qa'ida operatives. *See* HEADQUARTERS [redacted] (100928Z APR 03).

[1607] *See* FBI case file [redacted], ALEC [redacted] (261725Z MAR 03), and Department of Justice release dated October 28, 2003, entitled, "Iyman Faris Sentenced for Providing Material Support to Al Qaeda." During these interviews Iyman Faris provided detailed information on a variety of matters, including his ongoing relationship with Maqsood Khan; the aliases he used in Pakistan ("Mohmed Rauf" and "Gura"); how he became acquainted with KSM and al-Qa'ida; as well as his interaction with the Majid Khan family. Iyman Faris further provided information on his initial meeting with UBL and how he helped Maqsood Khan obtain supplies "for usage by Usama Bin Ladin" when he was in Pakistan.

[1608] ALEC [redacted] (022304Z APR 03); ALEC [redacted] (030128Z APR 03); ALEC [redacted] (022304Z APR 03); WHDC [redacted] (011857Z APR 03). *See also* ALEC [redacted] (261725Z MAR 03); ALEC [redacted] (010200Z APR 03); ALEC [redacted] (261933Z MAR 03).

[1609] WHDC [redacted] (232240Z APR 03)

[1610] *See* Department of Justice comments in "The Triple Life of a Qaeda Man," *Time Magazine,* June 22, 2003.

[1611] *See* FBI case file [redacted]

[1612] *See* Department of Justice release dated October 28, 2003, entitled, "Iyman Faris Sentenced for Providing Material Support to Al Qaeda."

[1613] "Khalid Shaykh Muhammad's Threat Reporting – Precious Truths, Surrounded by a Bodyguard of Lies," IICT, April 3, 2003.

(~~TS//~~ [redacted] ~~//NF~~) *Further Details:* Sajid Badat[1614] was selected by al-Qa'ida leaders, including Abu Hafs al-Masri and Sayf al-'Adl, to carry out an attack against a Western airliner with Richard Reid using a shoe bomb explosive device in December 2001.[1615] Sajid Badat returned to the United Kingdom in late 2001 and sent a message to his al-Qa'ida handler, Ammar al-Baluchi, stating that he was withdrawing from the operation.[1616] On December 22, 2001,

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[1614] Note on CIA records related to U.K.-based "Issas": Two United Kingdom-based al-Qa'ida associates, Dhiren Barot and Sajid Badat, were known by the same common aliases, Issa, Abu Issa, Abu Issa al-Britani ("[of] Britain") and/or Issa al-Pakistani. Both individuals were British Indians who had been independently in contact with senior al-Qa'ida leaders in Pakistan. Reporting indicated that the Issas were located in the United Kingdom and engaged in terrorist targeting of the U.K. The investigation into their true identities was a U.K.-led operation. As a result, the CIA sometimes had limited insight into U.K.-based activities to identify and locate the Issas. Senior CIA personnel expressed frustration that the U.K. was not sharing all known information on its investigations, writing in August 2003 that "[the FBI is] clearly working closely with the [U.K. service] on these matters and [the CIA is] at the mercy" of what it is told. In June 2003, the CIA informed the FBI that the CIA had "no electronic record of receiving any transcripts or summaries from your agency's interviews with [Richard] Reid, and would appreciate dissemination of summaries of questioning for the purposes of [CIA] analysis." Until the arrest of one of the Issas, Sajid Badat, on November 27, 2003, the U.S. Intelligence Community and U.K. authorities often confused the two al-Qa'ida associates. As a result, the quality and clarity of detainee reporting on the Issas (including reporting from detainees in the custody of the CIA, U.S. military, Department of Justice, and foreign services) varied. CIA personnel [redacted] reported in September 2003 that there were "two (or three) Abu Issas" in intelligence reporting and that because of their similarities, it was often "unclear which Issa the detainees [were] referring to at different stages." Once detained in the United Kingdom in November 2003, Sajid Badat (one of the Issas) cooperated with U.K. authorities and provided information about the other "Issa." Badat stated that "people often asked [Badat] about [the other] Issa, as they were both British Indians." According to Sajid Badat, "anyone who had been involved with jihad in Britain since the mid-90s" would know Issa al-Hindi (aka Dhiren Barot), to include Babar Ahmed, Moazzem Begg, Richard Reid, Zacarias Moussaoui, and KSM. The other Issa, Dhiren Barot, arrested on August 3, 2004, was found to have been especially well-known among the U.K.-based extremist community, having written a popular book in 1999 expounding the virtues of jihad in Kashmir under the alias, "Esa al-Hindi." CIA records include a reference to the book and a description of its author ("a brother from England who was a Hindu and became a Muslim…[who] got training in Afghanistan…") as early as December 1999 (disseminated by the CIA on 12/31/99 in [redacted]. The [redacted] [foreign partner] would later report that Dhiren Barot "frequently" appeared "in reporting of terrorist training" and had "involvement in Jihad in occupied Kashmir, Pakistan, Afghanistan, and Malaysia, throughout the 1990s." The Committee Study is based on more than six million pages of material related to the CIA's Detention and Interrogation Program provided by the CIA. Access was not provided to intelligence databases of the CIA or any other U.S. or foreign intelligence or law enforcement agency. Insomuch as intelligence from these sources is included, it was, unless noted otherwise, found within the CIA's Detention and Interrogation Program material produced for this Study. It is likely that significant intelligence unrelated to the CIA's Detention and Interrogation Program on Sajid Badat and Dhiren Barot exists in U.S. intelligence and law enforcement records and databases. *See* intelligence chronology in Volume II, including: ALEC [redacted] (112157Z JUN 03); [redacted] 19907 (231744Z APR 04); [redacted] 99093 (020931Z SEP 03); ALEC [redacted] (212117Z AUG 03); CIA WASHINGTON DC [redacted] (162127Z JUN 03); and a series of emails between [redacted] and [redacted] (with multiple ccs) on August 22, 2003, at 9:24:43 AM.

[1615] Among other documents, *see* [redacted] 19760 (251532Z JUN 02); [redacted] 80508 (081717Z AUG 02); CIA [redacted] (311736Z OCT 02), [redacted]; and [redacted] 99093 (020931Z SEP 03). The CIA's June 2013 Response states that "KSM's reporting also clearly distinguished between, and thereby focused investigations of, two al-Qa'ida operatives known as Issa al-Britani." As detailed in the KSM detainee review in Volume III, KSM did discuss the two operatives, but he did not identify either by name (or, in the case of Dhiren Barot, by his more common *kunya*, Issa al Hindi), and provided no actionable intelligence that contributed to the eventual identification of, or locational information for, either individual.

[1616] Among other documents, *see* CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated, "14 January 2002 1630 Hours"; CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI

Richard Reid attempted to detonate a shoe bomb on a flight from Paris, France, to Miami, Florida. The plane was diverted to Boston, Massachusetts, and Reid was taken into custody.[1617]

(~~TS//~~ [redacted] ~~//NF~~) The discovery, identification, capture, and arrest of Sajid Badat, "the shoe bomber," is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the discovery, identification, capture, and/or arrest of Sajid Badat as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1618] In at least one CIA document prepared for the president, the CIA specifically highlighted the waterboard interrogation technique in enabling the CIA to learn "that Sajid Badat was the operative slated to launch a simultaneous shoe bomb attack with Richard Reid in 2001."[1619] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1620]

EXTREMIST TERRORISM," dated, "22 January 2002 1630 Hours"; ALEC [redacted] (142334Z MAY 03); and [redacted] 13120 [redacted].

[1617] *See* intelligence chronology in Volume II and multiple open source reports, as well as Department of Justice materials, including *United States v. Richard Reid* Indictment, U.S. District Court, District of Massachusetts, January 16, 2002. According to a CIA operational update, in early December 2001, a unilateral CIA source reported that a known extremist "indicated there would be an attack on either an American or British airliner, originating in France, Germany, or Britain, with the use of explosives concealed in shoes." According to CIA records, an unclassified notice distributed to airlines concerning information from the CIA source in early December 2001 "is credited with having alerted flight crew personnel and their having reacted so swiftly to Reid's actions" aboard Flight 63. *See* intelligence chronology in Volume II, including CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated, "9 April 2002 1630 Hours."

[1618] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005.

[1619] *See* document entitled, "DCIA Talking Points: Waterboard 06 November 2007," dated November 6, 2007, with the notation the document was "sent to DCIA Nov. 6 in preparation for POTUS meeting."

[1620] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—

(~~TS//~~ [redacted] ~~//NF~~) As an example, on October 26, 2007, the CIA faxed a document to the Senate Appropriations Committee appealing a proposed elimination of funding for the CIA's Rendition and Detention Program. The CIA appeal states that "[m]ost, if not all, of the intelligence acquired from high-value detainees in this program would likely not have been discovered or reported in any other way." Representing the success of the CIA interrogation program, the document states:

> "Detainees have… permitted discovery of terrorist cells, key individuals and the interdiction of numerous plots, including… the *discovery* of an

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and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

operative who was preparing another attack[1621] like that attempted by 'shoe bomber' Richard Reid."[1622]

(~~TS//[redacted]//NF~~) Similarly, in early March 2005, the CIA compiled talking points on the effectiveness of the CIA's enhanced interrogation techniques for use in a meeting with the National Security Council. The document states, "[t]he Central Intelligence Agency can advise you that this program works and the techniques are effective in producing foreign intelligence." The document states that "*after* applying interrogation techniques," the CIA "learned from KSM and Ammar that Sajid Badat was the operative slated to launch a simultaneous shoe bomb attack with Richard Reid in December 2001."[1623] A month later, on April 15, 2005, the CIA faxed an eight-page document to the Department of Justice's Office of Legal Counsel entitled, "Briefing Notes on the Value of Detainee Reporting" which contained similar information.[1624] The Office of Legal Counsel used the information to support its May 30, 2005, legal opinion on whether certain "enhanced interrogation techniques" were consistent with United States obligations under Article 16 of the United Nations Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment.[1625] The CIA-provided document states:

> ***"Identifying the 'other' shoe bomber.*** Leads provided by KSM in November 2003 led directly to the arrest of shoe bomber Richard Reid's one-time partner Sajid Badat in the UK. KSM had volunteered the existence of Badat—whom

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[1621] As detailed in the intelligence chronology in Volume II, there is no evidence to support the CIA assertion in October 2007 that Sajid Badat was "preparing another attack like that attempted by 'shoe bomber' Richard Reid." A body of intelligence collected after the December 22, 2001, attempted shoe bomb attack by Richard Reid indicated that the proposed partner "backed out of the operation." This information was corroborated by signals intelligence. Once detained on November 27, 2003, Sajid Badat cooperated with U.K. authorities and described how he withdrew from the operation. *See,* among other CIA records, CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated "14 January 2002 1630 Hours."

[1622] Italics added. CIA fax from CIA employee [REDACTED] to U.S. Senate Committee on Appropriations, Subcommittee on Defense, with fax cover sheet entitled, "Talking points," sent on October 26, 2007, at 5:39:48 PM; document faxed entitled, "Talking Points Appeal of the $[redacted] Million reduction in CIA/CTC's Rendition and Detention Program." As detailed in the intelligence chronology in Volume II, there is no evidence that Sajid Badat was "preparing another attack like that attempted by 'shoe bomber' Richard Reid." All intelligence collected after the December 22, 2001, attempted shoe bomb attack by Richard Reid indicated that his proposed partner "backed out of the operation." *See,* for example, CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated, "14 January 2002 1630 Hours."

[1623] Italics in original. CIA Talking Points entitled, "Talking Points for 10 March 2005 DCI Meeting PC: Effectiveness of the High-Value Detainee Interrogation (HVDI) Techniques."

[1624] CIA "Briefing Notes on the Value of Detainee Reporting" faxed from the CIA to the Department of Justice on April 15, 2005, at 10:47AM. *See also* a CIA document dated December 20, 2005, and entitled, "Examples of Detainee Reporting Used by Our CT Partners to Thwart Terrorists, 2003-2005," which includes four columns: "Detainees," "What They Told Us," "Actions Taken By Our CT Partners," and "Results." Under the heading of KSM and Ammar al-Baluchi, the document states: "What They Told Us…" "Provided lead information to Issa al-Britani, a.k.a. Sajid Badat in the United Kingdom, November 2003. KSM said Badat was an operative slated to launch a shoe-bomb attack simultaneously with Richard Reid in December 2001. Ammar al-Baluchi provided additional information on Badat…Results...Disrupted a shoe-bomb attack."

[1625] For additional information, *see* Volume I and Volume II.

he knew as 'Issa al-Pakistani'[1626]—as the operative who was slated to launch a simultaneous shoe bomb attack with Richard Reid in December 2001."[1627]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the purported role of KSM and Ammar al-Baluchi[1628] in the discovery, identification, capture, and arrest of Sajid Badat in 16 of the 20 documents provided to policymakers and the Department of Justice between July 2003 and March 2009.[1629] However, in an additional case, a March 4, 2005, CIA briefing for Vice President Cheney, the CIA credited Abu Zubaydah with identifying Sajid Badat,[1630] despite a lack of any reporting on Sajid Badat from Abu Zubaydah.[1631]

[1626] There are no records of KSM identifying Sajid Badat as "Issa al-Pakistani." CIA records indicate that KSM stated he did not know Richard Reid's partner's true name, but referred to him only as "Abu Issa al-Britani" (described in CIA cables as "Abu Issa the Britain" [sic]), or as "Issa Richard." *See* intelligence chronology in Volume II, including ALEC [redacted] (112157Z JUN 03).

[1627] CIA "Briefing Notes on the Value of Detainee Reporting" faxed from the CIA to the Department of Justice on April 15, 2005, at 10:47AM. As detailed in Volume II, there are no CIA records of KSM providing any reporting in November 2003 contributing to Sajid Badat's arrest.

[1628] CIA Briefing for Obama National Security Team- "Renditions, Detentions, and Interrogations (RDI)," including "Tab 7," named "RDG Copy- Briefing on RDI Program 09 Jan. 2009": "...[L]eads provided by KSM and Ammar al-Baluchi in November 2003 led directly to the arrest in the United Kingdom of Sajid Badat the operative who was slated to launch a simultaneous shoe-bomb attack with Richard Reid in December 2001." Ammar al-Baluchi, while still in foreign government custody, and prior to being transferred to CIA custody and subjected to the CIA's enhanced interrogation techniques, stated that he had contacted "Abu Issa" on behalf of KSM, but the CIA believed that Ammar al-Baluchi was providing inaccurate information. (*See* ALEC 206234[redacted]). [redacted] [foreign partner] authorities later indicated that they believed that Ammar al-Baluchi was providing accurate reporting on Abu Issa. (*See* [redacted] 10054 [redacted] Later, in CIA custody, Ammar al-Baluchi described Issa's connection to the Richard Reid plot. The CIA credited confronting Ammar al-Baluchi with emails as "key in gaining Ammar's admissions." (*See* ALEC [redacted].) As detailed in Volume II, Ammar al-Baluchi, like KSM, was unable, or unwilling, to identify Sajid Badat by name.

[1629] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

[1630] CIA briefing for Vice President Cheney, dated March 4, 2005, entitled, "Briefing for Vice President Cheney: CIA Detention and Interrogation Program." The briefing document states: "Shoe Bomber: Sajid Badat, an operative slated to launch a simultaneous shoe bomb attack with Richard Reid in December 2001, identified and captured. Source: Abu Zubaydah." There are no CIA records to support this statement. On August 17, 2003, Abu Zubaydah was shown a picture of Sajid Badat that a CIA officer stated "looks an awful lot like the sketches" from a detainee in foreign government custody. Abu Zubaydah stated he did not recognize the person in the photo. On August 22, 2003, sketches of Badat were shown to Abu Zubaydah, who did not recognize the individual depicted. *See* email from: [redacted]; to: [redacted] (multiple ccs); subject: "Re: Meeting with [redacted]"; date: August 17, 2003, at 1:04 PM; [redacted] 12679 (181124Z AUG 03); [redacted] 12713 (231932Z AUG 03).

[1631] The CIA also credited Abu Zubaydah, who was captured in March 2002, with identifying Richard Reid, who was arrested in December 2001. This inaccurate information was presented to select National Security Council principals, Secretary of State Powell and Secretary of Defense Rumsfeld, and Assistant Attorney General Jack Goldsmith. *See* CIA briefing slides entitled, "*CIA Interrogation Program,*" dated July 29, 2003, presented to senior White House officials (Memorandum for the Record; subject: CIA Interrogation Program; September 27, 2003 (OGC-FO-2003-50088); Slides, CIA Interrogation Program, 16 September 2003). The Memorandum for the Record drafted by John Bellinger refers to a "detailed handout" provided by the CIA. *See* John B. Bellinger III, Senior Associate Counsel to the President and Legal Advisor, National Security Council; Memorandum for the Record; subject: Briefing of Secretaries Powell and Rumsfeld regarding Interrogation of High-Value Detainees; date: September 30, 2003. *See also* Scott W. Muller; Memorandum for the Record; Interrogation briefing for Jack Goldsmith; date: 16 October 2003 (OGC-FO 2003-50097).

(~~TS//[redacted]//NF~~) Contrary to CIA representations, a review of CIA operational cables and other documents found that the CIA's enhanced interrogation techniques did not result in otherwise unavailable intelligence leading to the discovery, identification, capture, or arrest of Sajid Badat. According to CIA records and the U.K.'s own investigative summary,[1632] the investigation of Sajid Badat was a United Kingdom-led operation, and the intelligence that alerted security officials to: (1) a U.K.-based "Issa" (aka, Sajid Badat); (2) a potential second "shoe bomber" related to Richard Reid;[1633] (3) a suspected U.K. terrorist named "Sajid Badat";[1634] (4) Sajid Badat's connection to Richard Reid; (5) Sajid Badat's physical description; (6) Sajid Badat's location; and (7) the initial identification of a U.K. surveillance photo of Sajid Badat, the "shoe bomber,"[1635] was unrelated to information acquired from CIA detainees during or after the use of the CIA's enhanced interrogation techniques. CIA records indicate that the information that led to Sajid Badat's arrest and U.K. criminal prosecution was also not derived from the CIA's Detention and Interrogation Program.[1636]

(~~TS//[redacted]//NF~~) Prior to any reporting from CIA detainees, and as early as January 14, 2002, the FBI informed the CIA that Richard Reid "had an unidentified partner who allegedly backed out of the operation at the last minute."[1637] This information was later

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[1632] [redacted] 13165 [redacted]

[1633] The CIA's June 2013 Response maintains that "KSM was the first to tell [the CIA] there was a second shoe bomber and that he remained at large." The Committee found this statement to be incongruent with CIA records. There were multiple reports that Richard Reid had an unidentified partner prior to the provision of any information from KSM (captured on March 1, 2003). The CIA's June 2013 Response addresses only one of two documented efforts by the FBI in January 2002 to inform the CIA that Richard Reid had "an unidentified partner who allegedly backed out of the operation at the last minute." The CIA's June 2013 Response acknowledges that this FBI information was provided to senior CIA leadership in writing, but states that, on one of the two days the information was provided, "the Reid investigation came on page 10 of 15 pages of updates that day," and that the information did not "exist in any searchable CIA data repositories." The CIA's June 2013 Response also does not address the CIA's own source reporting on "another operative" who existed alongside Richard Reid. In April 2002, a reliable CIA source—who had warned of the Richard Reid shoe-bomb attack weeks before it occurred—reported that, in addition to Richard Reid, "another operative existed." The source stated that, instead of an airliner departing from Paris, as had Richard Reid's flight, "this attack would occur against an airliner originating from Heathrow International Airport in London." Once captured, Sajid Badat would confirm this reporting. Despite acknowledging evidence to the contrary, and without further explanation, the CIA stated in meetings with the Committee in 2013 that the CIA stands by its representations that "KSM was the first to tell [the CIA] there was a second shoe bomber and that he remained at large."

[1634] *See* Volume II, including FBI WASHINGTON DC [redacted] (160429Z JUL 02). The CIA's June 2013 Response acknowledges that there was intelligence reporting that Sajid Badat was involved in terrorist activities and "targeting American interests," but defends its past assertions highlighting the effectiveness of the CIA's enhanced interrogation techniques in obtaining otherwise unavailable intelligence by asserting that, at the time of this reporting, there "was nothing at the time on Badat to lead [the CIA] to prioritize him over others."

[1635] The CIA's June 2013 Response states: "KSM was the first person to provide—in March 2003, after having undergone enhanced interrogation techniques in CIA custody—a detailed and authoritative narrative of al-Qa'ida development of and plans to use shoe bombs operationally." The CIA's June 2013 Response does not acknowledge intelligence acquired by the Intelligence Community on these matters prior to any reporting from KSM and does not address the significant amount of fabricated reporting KSM provided. *See* Volume II for additional information.

[1636] *See* Volume II for additional information.

[1637] The FBI information was provided to the CIA. *See* CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated, "14 January 2002 1630 Hours." The CIA's June 2013 Response acknowledges the existence of this CIA document and that the information in the document was "compiled… for counterterrorism seniors at CIA." The CIA's June 2013 Response nonetheless states that "[t]here is no reference to this possibility [of a possible second operative] in official communications

corroborated by a credible CIA source prior to any reporting from the CIA's Detention and Interrogation Program.[1638] In July 2002, a foreign government reported that pre-paid phone cards recovered by the FBI from Richard Reid upon his arrest were used by an individual named Sajid Badat to call a known terrorist, Nizar Trabelsi.[1639] FBI interviews of Trabelsi—officially relayed to the CIA in July 2002—reported that "L. Badad Sajid" was "involved in operations targeting American interests."[1640] The CIA highlighted in a July 2002 cable that this information matched previous reporting from a European government that identified a "Saajid Badat," of Gloucester, United Kingdom, with a date of birth of March 28, 1979, as a person suspected of being involved in terrorist activity.[1641] Additional analysis of the phone card connecting Badat and Reid—as well as other intelligence—placed Sajid Badat and Richard Reid together in Belgium in September 2001.[1642]

(~~TS//[redacted]//NF~~) According to [redacted], Sajid Badat was linked to other well-known extremists in the United Kingdom who were already under investigation. Specifically, Badat was known to [redacted] as "a member of Babar Ahmad's group," and was a "particularly close associate of Mirza Beg." [redacted] reporting also determined that Badat had attended a jihad training camp in Afghanistan."[1643]

(~~TS//[redacted]//NF~~) Concurrent with the emergence of information linking Sajid Badat to Richard Reid, there was an ongoing international effort to identify one or more U.K.-based al-Qa'ida operatives known as "Issa."[1644] As early as June 2002, CIA records indicate that an

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between FBI and CIA, nor did it exist in any searchable CIA data repositories prior to KSM's reporting." The CIA expressed concern that the FBI was not sharing information from the debriefings of Richard Reid. Additional FBI information about Sajid Badat, including any information obtained from Richard Reid, was not available to the Committee. *See* CIA WASHINGTON DC [redacted] (162127Z JUN 03).

[1638] *See* intelligence chronology in Volume II, including U.S. military detainee reporting detailed in CIA Headquarters document, entitled, "OPERATIONAL DEVELOPMENTS AGAINST GLOBAL SUNNI EXTREMIST TERRORISM," dated, "9 April 2002 1630 Hours." This CIA document included reporting from a CIA source who stated that, in addition to Richard Reid, "another operative existed" who was planning an attack "against an airliner originating from Heathrow International Airport in London." The same source had provided reporting on an "attack… against an airliner originating in France, Germany, or Britain, with the use of explosives concealed in shoes" just prior to Richard Reid's attempted use of explosives concealed in shoes on December 21, 2001. Despite corroborated intelligence reporting acquired prior to the provision of information from CIA detainees, the CIA represented, as late as October 2007, that "[m]ost, if not all, of the intelligence acquired from high-value detainees in [the CIA] program would likely not have been discovered or reported in any other way," crediting CIA detainees with "the discovery of an operative who was preparing another attack like that attempted by 'shoe bomber' Richard Reid." *See* CIA fax from CIA employee [REDACTED] to U.S. Senate Committee on Appropriations, Subcommittee on Defense, with fax cover sheet entitled, "Talking points," sent on October 26, 2007, at 5:39:48 PM. Document faxed entitled, "Talking Points Appeal of the $[redacted] Million reduction in CIA/CTC's Rendition and Detention Program."

[1639] FBI WASHINGTON DC [redacted] (130706Z JUL 02)

[1640] FBI WASHINGTON DC [redacted] (160429Z JUL 02)

[1641] CIA [redacted]. DIRECTOR [redacted].

[1642] FBI WASHINGTON DC [redacted] (130706Z JUL 02); FBI WASHINGTON [redacted] (290315Z AUG 02); [redacted] 13165 [redacted]

[1643] *See* [redacted] [foreign partner] summary of the Sajid Badat investigation and [redacted] 13165 [redacted].

[1644] [redacted] [foreign partner] authorities relayed to the CIA that there were "two (or three) Abu Issas" in terrorist threat reporting who were described as from the U.K. and engaged in suspected al-Qa'ida terrorist operations. CIA Headquarters informed [redacted] in August 2003 that "there are (at least) two/two important

individual in the custody of a foreign government, Abu Zubair al-Ha'ili, repeatedly referenced an "Abu Issa al-Pakistani" as a British-born Pakistani associated with Richard Reid and engaged in plotting in the United Kingdom at the behest of KSM.[1645] This information was corroborative of other intelligence reporting.[1646] In May 2003, this detainee met with CIA officers to produce several sketches that were described as having "achieved a 95% likeness" of this individual.[1647] On August 17, 2003, CIA officers noted that a photograph of Sajid Badat provided by [redacted] [a foreign partner] looked "an awful lot like the sketches" of the Richard Reid associate made with the assistance of the detainee in foreign government custody.[1648]

(~~TS//[redacted]//NF~~) CIA Headquarters requested that the photograph be shown to CIA detainees. According to CIA records, on August 18, 2003, "KSM viewed the picture for a while, but said he did not recognize the person in the photo." When KSM was asked if Issa's name could be Sajid Badat, "KSM shrugged and said that the Badat name was not the name he recalled." Pressed further, KSM stated, "he was confident that the name Sajid Badat was not Issa's name."[1649] On August 22, 2003, emails among CIA officers stated that "CTC believes that Abu Issa's true name is Sajid Badat… KSM says that Badat is not Abu Issa—but he might be lying."[1650] On August 23, 2003, the detailed sketches derived from interviews of the detainee in

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fugitives known as Issa and carrying UK passports (those both are known at times as Issa al-Britani), and both have strong links to KSM." *See* intelligence chronology in Volume II for additional details.

[1645] Among other documents, *see* [redacted] 19712 [redacted]; [redacted] 19744 [redacted]; and [redacted] 19780 [redacted]. *See also* April 4, 2003, cable from the CIA [redacted] (ALEC [redacted]) providing information on a U.K. "Issa" in which the CIA acknowledges [redacted] investigation already underway, writing "we realize that Abu Issa is [a subject of interest] of interest [your government]." Abu Zubair al-Ha'ili is also known by the variant, Abu Zubayr al-Ha'ili. Abu Zubair al-Ha'ili was never in CIA custody.

[1646] *See* intelligence chronology in Volume II.

[1647] [redacted] 24237 [redacted]

[1648] Email from: [redacted]; to: [redacted] (multiple ccs); subject: "Re: Meeting with [redacted]"; date: August 17, 2003, at 1:04 PM. The CIA's June 2013 Response states that "[t]he fact that the [foreign partner] as late as August 2003 was only able to locate a poor quality photo of Sajid Badat belies the notion that Badat was well on his way to being identified as important and disrupted in advance of KSM's reporting. However, the Committee found when CIA officers received what they described as a "crummy" photo of Sajid Badat from the [redacted], they nonetheless wrote, "it sure looks to me like Sajid is the shoe bomber Issa," noting the body of intelligence compiled to date and the fact that "the photo [of Sajid Badat] looks an awful lot like the sketches of 'Issa al-Britani/Pakistani'" the CIA had obtained from the detainee in foreign government custody, Abu Zubair al-Ha'ili. Of note to CIA officers was that al-Ha'ili "was asked, 'what is Abu Issa's most striking feature or features?'" Abu Zubair replied, "his eyes, thick frame eye glasses, and Pakistani hat." Abu Zubair stated that Issa always wore a unique, irregularly shaped checkered hat that has the front center cut out of it and is only worn in Pakistan. In a discussion of the photo of Sajid Badat, a CIA officer wrote: "Sajid appears to have the same goofy hat on that Zubair went to lengths to describe." *See* email from: [redacted]; to: [REDACTED] (multiple ccs); subject: "Re: photo of Sajid badat, suspected as iden with Issa al-Hindi: some possible confusion"; date: August 15, 2003, at 7:20:40 PM.

[1649] [redacted] 12679 (181124Z AUG 03). Khallad bin Attash and Abu Zubaydah were also shown the picture of Sajid Badat. Both detainees stated they did not recognize the person in the photo.

[1650] Series of emails, including email from: [redacted]; to: [redacted] (multiple ccs); August 22, 2003, at 9:24:43 AM. The CIA's June 2013 Response states, "no one had suggested Badat could be a candidate for this Issa until KSM's reporting." CIA records indicate that KSM never identified Sajid Badat by name. Moreover, on March 20, 2003, while being subjected to the CIA's enhanced interrogation techniques, KSM inaccurately identified Richard Reid's U.K. associate as "Talha." (*See* [redacted] 10912 (202110Z MAR 03), disseminated as [redacted].) On May 11, 2003, a month and a half after the CIA ceased using its enhanced interrogation techniques against KSM, KSM stated that Talha was actually "Issa," and that he had provided the name Talha under

foreign custody, Abu Zubair al-Ha'ili—the sketches CIA officers stated so closely resembled the [redacted] [foreign partner]-provided photos of Sajid Badat—were shown to KSM. KSM stated he did not recognize the individual in the sketches.[1651]

(~~TS//[redacted]//NF~~) Meanwhile, on August 21, 2003, a CIA cable noted that the [redacted] [foreign partner] had informed the CIA that joint interviews by the FBI and [redacted] [foreign partner] authorities of an individual in FBI custody, James Ujaama, led investigators in the U.K. to a home "formerly occupied by both Mirza [Beg] and Sajid [Badat]."[1652] The [redacted] [foreign partner] authorities relayed to the CIA that "at least one of these men was known by the alias Issa," and that the subjects were related to a separate ongoing terrorism investigation.[1653] On September 2, 2003, [redacted] [foreign partner] authorities informed the CIA that "secret and reliable" reporting indicated that Sajid Badat is the Richard Reid associate and shoe bomber. According to the [redacted] [foreign partner] report, [redacted] [foreign partner information] linked Badat to a larger [redacted] network in the United Kingdom, which was part of the larger aforementioned [redacted] [foreign partner] investigation.[1654]

(~~TS//[redacted]//NF~~) On September 9, 2003, a detainee in U.S. military custody at Guantanamo Bay, Cuba, identified a photograph of Sajid Badat to a visiting U.K. official as Abu Issa the "shoe bomber."[1655] The next day, KSM identified a photograph of Sajid Badat as "Issa al-Britani, aka Issa Richard"—the associate of Richard Reid. Other detainees in U.S. military custody subsequently identified the same photograph of Sajid Badat as "Abu Issa" the "shoebomber."[1656]

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pressure and had now remembered the right name – Issa – after he had time to think about the question. *See* [redacted] 11584 (111753Z MAY 03); DIRECTOR [redacted] (121729Z MAY 03).

[1651] [redacted] 12713 (231932Z AUG 03)

[1652] Ujaama had pled guilty to terrorism-related charges on April 14, 2003, and had agreed to continue cooperating with FBI officials on terrorism investigations. Earnest James Ujaama entered a guilty plea to a charge of conspiracy to provide goods and services to the Taliban on April 14, 2003. *See* U.S. Department of Justice press release dated April 14, 2003, and entitled, "Earnest James Ujaama Pleads Guilty to Conspiracy to Supply Goods and Services to the Taliban, Agrees to Cooperate with Terrorism Investigations."

[1653] ALEC [redacted] (212117Z AUG 03). CIA records state that sometime prior to August 21, 2003, the FBI had entered Sajid Badat, with the correct identifying information, into [redacted] databases.

[1654] [redacted] 99093 ([redacted])

[1655] DIRECTOR [redacted] SEP 03)/[redacted]. [REDACTED]. *See also* CIA [redacted] DEC 03), which includes a "Comment" that "during a 9 September 2003 interview of [Feroze Ali] Abassi at Guantanamo Bay, Abbasi identified Badat as a participant in the 'information gathering course' at al-Faruq" terrorist training camp, about which Abassi had previously provided detailed information.

[1656] *See* [redacted] 12806 (101910Z SEP 03) and [redacted] 54986 (300927Z OCT 03). The CIA's June 2013 Response acknowledges that a U.S. military detainee first identified Sajid Badat, but argues that CIA representations on the effectiveness of the CIA's enhanced interrogation techniques in producing otherwise unavailable intelligence in this case were nonetheless accurate. The CIA's June 2013 Response states that KSM "did provide unique intelligence," and that "KSM's identification of Badat [in the [redacted] photo] was more important than others who also recognized the photograph—including one who identified the photo a day before KSM did—because only KSM at the time had characterized this Issa as a partner to Reid and as a would-be shoe bomber." As detailed in this summary and in greater detail in Volume II, the CIA's 2013 Response is incongruent with internal CIA records. After the arrest of Sajid Badat, U.K. authorities described their investigation of Sajid Badat [redacted]. The United Kingdom highlighted information from a [redacted] [specific U.K. intelligence collection on Sajid Badat] not further identified in CIA records. The U.K. record of investigation makes no reference to KSM's photo identification, but rather states: "reporting on 9 September 2003 confirmed that a U.S. military detainee had positively identified Saajid Badat as Abu Issa. We assess that Sajid Badat is identical with both

(~~TS//[redacted]//NF~~) After conducting extensive surveillance of Sajid Badat, U.K. authorities arrested Badat on November 27, 2003.[1657] Badat immediately cooperated with U.K. investigators and confirmed he withdrew from a shoe bomb operation with Richard Reid in December 2001.[1658] On November 28, 2003, the United Kingdom provided a detailed account to the CIA on how investigative efforts in the United Kingdom led to the identification of Sajid Badat, noting that "key aspects" of reporting acquired from CIA, U.S. military, and foreign government detainees matched those of a "[redacted]" [specific U.K. intelligence collection on Sajid Badat]. The "[redacted]" [specific U.K. intelligence collection on Sajid Badat] was not previously referenced in U.K. investigative updates to the CIA.[1659]

(~~TS//[redacted]//NF~~) After pleading guilty in a U.K. court on February 28, 2005, to terrorism-related charges, Sajid Badat was sentenced to 13 years in prison. [redacted] Sajid "Badat was voluntarily cooperative throughout much of his pre-sentencing incarceration."[1660] On November 13, 2009, Sajid Badat's 13-year prison sentence was reduced to 11 years. In March 2010, approximately five years after his sentencing, Sajid Badat was released under an agreement whereby Badat became a cooperating witness for U.S. and U.K. authorities.[1661] The legal agreement came to light when Sajid Badat testified against Adis Medunjanin, a U.S. terrorism suspect on trial in New York, via a video-link from the United Kingdom in April 2012.[1662]

7. The Thwarting of the Heathrow Airport and Canary Wharf Plotting

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Sajid and Abu Issa the shoebomber." *See* [redacted] 13165 [redacted] NOV 03); DIRECTOR [redacted] ([redacted] SEP 03)[redacted]; [REDACTED]; CIA [redacted] ([redacted] DEC 03). *See also* the intelligence chronology in Volume II.

[1657] ALEC [redacted] 13120 [redacted]

[1658] [redacted] 13120

[1659] [redacted] 13165 [redacted] NOV 03). The [redacted] [foreign partner] report highlights how the "[a named foreign government] reported that on the 13 September 2001 Nizar [Trabelsi] was arrested for his alleged involvement in planning a terrorist attack against the American Embassy in Paris" and how Trabelsi was connected to a phone card "recovered from Richard Colvin Reid" but found to have been used by Sajid Badat. The report references a larger U.K. investigation, stating that Badat was found to be "a member of Babar Ahmad's group" and to have "attended a jihad training camp in Afghanistan." The [redacted] [foreign partner] report closes by stating: "Further reporting on 9 September 2003 confirmed that a U.S. military detainee had positively identified Saajid Badat as Abu Issa. We assess that Sajid Badat is identical with both Sajid and Abu Issa the shoebomber."

[1660] Email from: [redacted]; to: [REDACTED], with multiple ccs; subject: "Re: Profile on Saajid Badat for coord by 6pm, 19 October 2005; date: October 19, 2005, at 3:14:29 PM.

[1661] *See* open source reporting, including "Secret Life of Shoe Bomb Saajid Badat Funded By The Taxpayer," U.K. *Telegraph*, dated April 23, 2012; "US court hears Bin Ladin testimony from UK bomb plotter," *BBC News*, dated April 24, 2012; "Operative Details Al Qaeda Plans to Hit Planes in Wake of 9/11," *CNN*, dated April 25, 2012; and "'Convention' of Convicted Terrorists at NY Trial," *NPR News*, dated April 24, 2012.

[1662] *See* open source reporting, including "Secret Life of Shoe Bomb Saajid Badat Funded By The Taxpayer," U.K. *Telegraph*, dated April 23, 2012; "US court hears Bin Ladin testimony from UK bomb plotter," *BBC News*, dated April 24, 2012; "Operative Details Al Qaeda Plans to Hit Planes in Wake of 9/11," *CNN*, dated April 25, 2012; "'Convention' of Convicted Terrorists at NY Trial," *NPR News*, dated April 24, 2012; and "Man Convicted of a Terrorist Plot to Bomb Subways Is Sent to Prison for Life," *New York Times*, dated November 16, 2012.

(~~TS//[redacted]//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and produced critical, otherwise unavailable intelligence, which thwarted plots and saved lives. Over a period of years, the CIA provided the identification and thwarting of the Heathrow Airport Plot as evidence for the effectiveness of the CIA's enhanced interrogation techniques. These representations were inaccurate. A review of records indicates that the Heathrow Airport and Canary Wharf plotting had not progressed beyond the initial planning stages when the operation was fully disrupted with the detentions of Ramzi bin al-Shibh, KSM, Ammar-al-Baluchi, and Khallad bin Attash. None of these individuals were captured as a result of reporting obtained during or after the use of the CIA's enhanced interrogation techniques against CIA detainees.

(~~TS//[redacted]//NF~~) *Further Details:* After the September 11, 2001, attacks against the United States, KSM sought to target the United Kingdom using hijacked aircraft and surmised that Heathrow Airport and a building in Canary Wharf, a major business district in London, were powerful economic symbols.[1663] The initial plan was for al-Qa'ida operatives to hijack multiple airplanes departing Heathrow Airport, turn them around, and crash them into the airport itself. Security was assessed to be too tight at Heathrow Airport and the plan was altered to focus on aircrafts departing from mainly Eastern European airports to conduct attacks against Heathrow Airport. Al-Qa'ida was unable to locate pilots to conduct these attacks.[1664] Once KSM was detained in Pakistan on March 1, 2003, responsibility for the planning was passed to Ammar al-Baluchi and Khallad bin Attash, who were at the time focused on carrying out attacks against Western interests in Karachi, Pakistan.[1665]

(~~TS//[redacted]//NF~~) The thwarting of the Heathrow Airport and Canary Wharf plotting is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the Heathrow Airport and Canary Wharf plotting as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1666] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1667]

[1663] While the CIA refers to "Canary Wharf" as a potential target of KSM's plotting, intelligence records suggest the actual target was likely "One Canada Square," the tallest building in the United Kingdom at the time of the plotting, which is located in Canary Wharf, a major business district in London.

[1664] *See* detailed intelligence chronology in Volume II.

[1665] *See* the Karachi Plots section in this summary, as well as additional details in Volume II.

[1666] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005.

[1667] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical,"

(~~TS//~~ [redacted] ~~//NF~~) For example, on December 23, 2005, CIA Director Porter Goss explained in a letter to National Security Advisor Stephen Hadley, Homeland Security Advisor Frances Townsend, and Director of National Intelligence John Negroponte, that he was

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"vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "SWIGERT and DUNBAR," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

suspending the use of the CIA's enhanced interrogation techniques because of the passage of the Detainee Treatment Act (the "McCain amendment"). The letter stated:

> "...only 29 [CIA detainees] have undergone an interrogation that used one or more of the 13 [CIA enhanced interrogation] techniques.[1668] These interrogations produced intelligence that allowed the U.S., and its partners, to disrupt attacks such as 911-style attacks planned for the U.S. West Coast and *for Heathrow airport.* I can inform you with confidence that this program has allowed the U.S. to *save hundreds, if not thousands, of lives.*"[1669]

(~~TS//[redacted]//NF~~) Similarly, the CIA informed the CIA inspector general on February 27, 2004, that:

> "As a result of the lawful use of EITs, *KSM also provided information on an al-Qa'ida plot for suicide airplane attacks outside of the United States that would have killed thousands of people in the United Kingdom.* ...Of note, even after KSM reported that al-Qa'ida was planning to target Heathrow, he at first repeatedly denied there was any other target than the airport. *Only after the repeated lawful use of EITs did he stop lying and admit that the sketch of a beam labeled Canary Wharf in his notebook was in fact an illustration that KSM the engineer drew himself in order to show another AQ operative that the beams in the Wharf* - like those in the World Trade Center would likely melt and collapse the building, killing all inside.... We are still debriefing detainees and following up on leads to destroy this cell, but *at a minimum the lawful use of EIT's on KSM provided us with critical information that alerted us to these threats....*"[1670]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the Heathrow and Canary Wharf Plotting in 20 of the 20 documents provided to policymakers and the Department of Justice between July 2003 and March 2009.[1671]

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other documents found that contrary to CIA representations, information acquired during or after the use of the CIA's

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[1668] This information was incorrect. CIA records indicate that by December 23, 2005, at least 38 CIA detainees had been subjected to the CIA's enhanced interrogation techniques.

[1669] Italics added. "Impact of the Loss of the Detainee Program to CT Operations and Analysis," prepared to support a letter from CIA Director Goss to Stephen J. Hadley, Assistant to the President/National Security Advisor, Frances F. Townsend, Assistant to the President/Homeland Security Advisor, and Ambassador John D. Negroponte, dated December 23, 2005.

[1670] Italics added. CIA memorandum to the CIA Inspector General from James Pavitt, CIA's Deputy Director for Operations, dated February 27, 2004, with the subject line, "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program' (2003-7123-IG)," Attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities," dated February 24, 2004.

[1671] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

enhanced interrogation techniques played no role in "alert[ing]" the CIA to the threat to—or "disrupt[ing]" the plotting against—Heathrow Airport and Canary Wharf.[1672]

(~~TS//[redacted]//NF~~) Prior to the detention and interrogation of the CIA detainees credited by the CIA with providing information on the plot, the CIA and other intelligence agencies were already "alerted" to al-Qa'ida's efforts to target Heathrow Airport. Specifically, the CIA knew that: (1) KSM and al-Qa'ida were targeting "a national symbol in the United Kingdom" and that this symbol was the "Heathrow airport";[1673] (2) the attack plan called for hijacking commercial aircraft and crashing them directly into Heathrow airport;[1674] (3) no pilots had been identified by al-Qa'ida and the planned attack was not imminent;[1675] (4) KSM, Ammar

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[1672] As described in this Study, the CIA consistently represented from 2003 through 2009 that the use of the CIA's enhanced interrogation techniques resulted in "disrupted plots," listed the "Heathrow Plot" as disrupted "as a result of the EITs," and informed policymakers that the information acquired to disrupt the plotting could not have been obtained from other intelligence sources or methods available to the U.S. government. In at least one CIA representation to White House officials that highlighted the Heathrow plotting, the CIA represented that "the use of the [CIA's enhanced interrogation] techniques has produced significant results," and warned policymakers that "[t]ermination of this [CIA] program will result in loss of life, possibly extensive." The CIA's June 2013 Response states: "CIA disagrees with the *Study's* assessment that [the CIA] incorrectly represented that information derived from interrogating detainees helped disrupt al-Qa'ida's targeting of Heathrow Airport and Canary Wharf in London, including in President Bush's 2006 speech on the Program. Detainee reporting, including some which was acquired after enhanced interrogation techniques were applied, played a critical role in uncovering the plot, understanding it, detaining many of the key players, and ultimately allowing us to conclude it had been disrupted. It is a complex story, however, and we should have been clearer in delineating the roles played by different partners." As described in this summary, past CIA representations concerning the Heathrow Airport plotting and intelligence acquired "as a result of" the CIA's enhanced interrogation techniques were inaccurate. (*See*, among other records, the September 6, 2006, speech by President Bush, based on CIA information and vetted by the CIA, which describes the CIA's use of "an alternative set" of interrogation procedures and stating: "These are some of the plots that have been stopped because of the information of this vital program. Terrorists held in CIA custody…have helped stop a plot to hijack passenger planes and fly them into Heathrow or Canary Wharf in London.") Contrary to the CIA's June 2013 assertion, CIA records indicate that information related to the use of the CIA's enhanced interrogation techniques played *no* role in "detaining many of the key players" and played *no* role in "uncovering the [Heathrow] plot." CIA records indicate the Heathrow Airport plotting had not progressed beyond the initial planning stages when the operation was fully disrupted with the detention of Ramzi bin al-Shibh (detained on September 11, 2002), KSM (detained on March 1, 2003), Ammar-al-Baluchi (detained on April 29, 2003), and Khallad bin Attash (detained on April 29, 2003). The CIA's June 2013 Response states that "[b]y all accounts, KSM's arrest was the action that most disrupted the [Heathrow] plot." As detailed in this summary and in greater detail in Volume II, the capture of these detainees—including KSM—was unrelated to any reporting from CIA detainees. CIA records further indicate that details on al-Qa'ida's targeting of Heathrow Airport were acquired prior to any reporting from CIA detainees. For example, prior to receiving any information from CIA detainees, the CIA acquired detailed information about al-Qa'ida's targeting of Heathrow Airport, to include, but not limited to, the al-Qa'ida senior leaders involved, the method of the planned attack, the status of the operation, and the *kunyas* of two potential unwitting operatives in the United Kingdom. Finally, the CIA's June 2013 Response claims that its past CIA representations were accurate and that CIA "detainee reporting, including some which was acquired after enhanced interrogation techniques were applied, played a critical role" in providing information, "ultimately allowing [CIA] to conclude it had been disrupted." Prior to June 2013, the CIA had never represented that the use of the CIA's enhanced interrogation techniques produced information "allowing [CIA] to conclude [the Heathrow Plot] had been disrupted." Rather, as detailed in this summary and more fully in Volume II, the CIA represented that the information acquired "as a result of EITs" produced unique, otherwise unavailable "actionable intelligence" that "saved lives" and disrupted the plotting itself. As detailed, these representations were inaccurate.

[1673] DIRECTOR [redacted] (172132Z OCT 02)
[1674] DIRECTOR [redacted] (172132Z OCT 02)
[1675] DIRECTOR [redacted] (172132Z OCT 02)

al-Baluchi, and Ramzi bin al-Shibh were involved in or knowledgeable about the plotting;[1676] (5) al-Qa'ida was seeking to recruit numerous operatives, but potentially already had two operatives in place in the United Kingdom named "Abu Yusif" and "Abu Adel," although the two operatives were unwitting of the plot;[1677] and (6) KSM was seeking Saudi and British passport holders over the age of 30 for the attack.[1678]

(~~TS//[redacted]//NF~~) A review of records indicates that the Heathrow Airport plotting had not progressed beyond the initial planning stages when the operation was fully disrupted with the detentions of Ramzi bin al-Shibh (detained on September 11, 2002),[1679] KSM (detained on March 1, 2003),[1680] Ammar-al-Baluchi (detained on April 29, 2003), and Khallad bin Attash (detained on April 29, 2003,).[1681] There are no CIA records to indicate that any of the individuals were captured as a result of CIA detainee reporting. A draft National Terrorism Bulletin from March 2006 states: "the [Heathrow Airport] operation was disrupted mid-cycle, around the spring of 2003, when several of the key plotters, including KSM, were detained."[1682] Foreign government intelligence analysis came to the same conclusion.[1683]

(~~TS//[redacted]//NF~~) While each of these four detainees provided information on the plotting during their detentions, none of this information played any role in the disruption of the plot. A wide body of intelligence reporting indicated that no operatives were informed of the

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[1676] [REDACTED] 20901 (301117Z SEP 02). *See also* [redacted], CIA [redacted]

[1677] CIA [redacted]. In October 2002, months prior to KSM's capture, Ramzi bin al-Shibh (RBS), who had not yet been rendered to CIA custody and therefore not yet subjected to the CIA's enhanced interrogation techniques, identified Abu Yusef and Abu Adil as potential U.K.-based Heathrow operatives. RBS described how the two English-speaking "al-Qa'ida suicide operatives" were dispatched to the United Kingdom by KSM. RBS provided a detailed description of the two potential operatives, as well as their travel. (*See* CIA [redacted]) KSM was captured on March 1, 2003. The CIA's June 2013 Response nonetheless asserts that "KSM also was responsible for helping us identify two potential operatives—known only as Abu Yusef and Abu Adil—whom al-Qa'ida had deployed to the United Kingdom by early 2002 and whom KSM wanted to tap for a role in a future Heathrow operation." U.K. investigative efforts led to the identification of Abu Yusef, who then identified Abu Adil—who was already an investigative target of the U.K. government. In February 2004, the CIA reported that no CIA detainee was able to identify a photograph of Abu Yusif. *See* ALEC [redacted] (262236Z FEB 04).

[1678] DIRECTOR [redacted] (172132Z OCT 02)

[1679] *See* section of this summary and Volume II on the "Capture of Ramzi bin al-Shibh." The CIA's June 2013 Response states that "the information provided by Abu Zubaydah played a key role in the capture of Ramzi Bin al-Shibh." As described in the "Capture of Ramzi bin al-Shibh" in this summary and in greater detail in Volume II, Ramzi bin al-Shibh was not captured as a result of information acquired during or after the use of the CIA's enhanced interrogation techniques against Abu Zubaydah.

[1680] *See* section of this summary and Volume II on the Capture of Khalid Shaykh Mohammad (KSM). The CIA's June 2013 Response acknowledges that "[b]y all accounts, KSM's arrest was the action that most disrupted the [Heathrow] plot." The CIA's June 2013 Response asserts, however, that "[Abu] Zubaydah's reporting also contributed to KSM's arrest." As described in the "Capture of KSM" in this summary and in more detail in Volume II, the capture of KSM was not attributable to any information obtained from the CIA's Detention and Interrogation Program.

[1681] As described in the section of this summary related to the "Karachi Plot(s)" and in more detail in Volume II, information from CIA detainees played no role in the arrests of Ammar al-Baluchi or Khallad bin Attash.

[1682] *See* series of emails dated March 22, 2006, with the subject line, "RE:Abu Adel NTB Coord: Please Respond by 14:00 Today (3/22). *See also* series of emails dated March 22, 2006, with the subject line, "RE:Abu Adel NTB Coord: Please Respond by 14:00 Today (3/22).

[1683] DIRECTOR [redacted]

plot, no pilots were ever identified by al-Qa'ida for the attacks, and only schedules of potential flights were collected for review.[1684]

(~~TS//[redacted]//NF~~) CIA detainee records indicate that reporting from CIA detainees on aspects of the Heathrow plotting was often unreliable and not believed by CIA officers. For example, KSM retracted information he provided while being subjected to the CIA's enhanced interrogation techniques, including information linking Jaffar al-Tayyar to the Heathrow Plot.[1685] On May 20, 2003, nearly two months after the CIA ceased using its enhanced interrogation techniques against KSM, a CIA analyst wrote that KSM had provided three different stories related to the Heathrow plotting, writing to CIA colleagues: "Bottom Line: KSM knows more about this plot than he's letting on."[1686] By late June 2004, KSM had retracted much of the varied reporting he had provided on the Heathrow plotting, most importantly the information KSM provided on tasking potential operatives to obtain flight training.[1687] KSM stated that during March 2003—when he was being subjected to the CIA's enhanced interrogation techniques—"he may have given false information," and that, in many cases, the information he provided was "just speculation."[1688] The value of other CIA detainee reporting was also questioned by CIA officers.[1689] In July 2003, a cable from the CIA's ALEC Station stated that "HQS/ALEC remains concerned with what we believe to be paltry information coming from detainees about operations in the U.K."[1690]

(~~TS//[redacted]//NF~~) In addition, KSM withheld information linking Abu Talha al-Pakistani to the Heathrow plotting. According to CIA interrogation records, KSM discussed Canary Wharf the first time he was shown his notebook, in which the words "Canary Wharf" were written.[1691] KSM stated, however, that he had drawn the sketch for Ammar al-Baluchi. In

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[1684] Among other documents, *see* DIRECTOR [redacted] (172132Z OCT 02).

[1685] *See* CIA WASHINGTON DC [redacted] (122310Z MAR 03); [redacted] 10883 (182127Z MAR 03); [redacted] 10828 (151310Z MAR 03); [redacted] 11717 (201722Z MAY 03); [redacted] 10778 (121549Z MAR 03).

[1686] *See* email from: [REDACTED]; to: [redacted]; cc: [redacted]; subject: "KSM on Heathrow"; date: May 20, 2003, at 03:44 PM.

[1687] [redacted] 22939 (031541Z JUL 04)

[1688] [redacted] 22939 (031541Z JUL 04)

[1689] In March 2003, after Ramzi bin al-Shibh had been rendered to CIA custody and subjected to the CIA's enhanced interrogation techniques, CIA officers wrote that they did "not believe [Ramzi] bin al-Shibh" was "being completely honest" about potential Heathrow operatives. (*See* ALEC [redacted].) A June 2003 CIA cable states that "KSM, Ammar, and Khallad remain loathe to reveal details of the Heathrow plot," and that the CIA believed the detainees were withholding information that could lead to the capture of Abu Talha al-Pakistani, noting specifically that the CIA detainees had "so far clung to such information" and "deflected questions." By this time KSM, Ammar al-Baluchi and Khallad bin Attash had all been rendered to CIA custody and subjected to the CIA's enhanced interrogation techniques. *See* ALEC [redacted] (172242Z JUN 03) and Volume III for additional information.

[1690] ALEC [redacted] (161821Z JUL 03)

[1691] [redacted] 10787 (130716Z MAR 03). As described, the CIA represented that KSM "first repeatedly denied there was any other target than the airport," and "[o]nly after the repeated lawful use of EITs did [KSM] stop lying and admit that the sketch of a beam labeled Canary Wharf in his notebook was in fact an illustration that KSM the engineer drew himself in order to show another AQ operative that the beams in the Wharf – like those in the World Trade Center would likely melt and collapse the building, killing all inside" (*See* CIA memorandum to the CIA Inspector General from James Pavitt, CIA's Deputy Director for Operations, dated February 27, 2004, with the subject line, "Comments to Draft IG Special Review, 'Counterterrorism Detention and Interrogation Program' (2003-7123-IG)," Attachment, "Successes of CIA's Counterterrorism Detention and Interrogation Activities," dated

June 2003, after being confronted with contradictory reporting from Ammar al-Baluchi, KSM admitted that he had actually shown the sketch to "Talha," whom KSM had not previously mentioned.[1692]

8. The Capture of Hambali

(~~TS//~~ [redacted] ~~//NF~~) *Summary:* The CIA represented that its enhanced interrogation techniques were effective and produced critical, otherwise unavailable intelligence, which thwarted plots and saved lives. Over a period of years, the CIA provided the capture of Hambali as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Specifically, the CIA consistently represented that, as a result of the CIA's enhanced interrogation techniques, KSM provided the "*first*" information on a money transfer by Majid Khan that eventually led to Hambali's capture. These CIA representations were inaccurate. Majid Khan, who was in foreign government custody, provided this information prior to any reporting from KSM. CIA records indicate that the intelligence that led to Hambali's capture in Thailand was based on signals intelligence, a CIA source, and Thai investigative activities.

February 24, 2004). As described, KSM discussed the sketch the first time it was shown to him. *See* [redacted] 10787 (130716Z MAR 03).

[1692] *See* [redacted] 14420 [redacted]; ALEC [redacted] (192314Z MAY 03); [redacted] 11717 (201222Z MAY 03); [redacted] 12141 (272231Z JUN 03); [redacted] 10798 (131816Z MAR 03), disseminated as [redacted]. The CIA's June 2013 Response asserts that Abu Talha was "the individual managing the [Heathrow] plot." Contrary to CIA assertions, CIA records indicate that Abu Talha served as an assistant to Ammar al-Baluchi and KSM and played no leadership or managerial role in the plotting. KSM reported that Abu Talha's "primary skill [was] his ability to gather information," and that Abu Talha would not have been able to take over the Heathrow plotting after the arrest of Ammar al-Baluchi and Khallad bin Attash, "stress[ing] that Talha was not well trained or particularly well connected to al-Qa'ida," did not know all of the components of the Heathrow plotting, and had no links to the unwitting Saudi operatives KSM was considering using in the plotting. KSM stated that after the arrest of Ammar al-Baluchi and Khallad bin Attash, Abu Talha "would have known that the plot was compromised and over." (*See* [redacted] 12141 (272231Z JUN 03); [redacted] 20525 (141731Z FEB 04). For additional information on the two potential Saudi Arabia-based operatives, Ayyub and Azmari, who were investigative targets of a foreign government prior to detainee reporting, unwitting of the Heathrow plotting, and assessed by the CIA to have been killed or detained as a result of terrorist activity unrelated to the aforementioned plotting, *see* Volume II.). The CIA's June 2013 Response further states that "CIA lacked reporting on Abu Talha prior to March 2003 and first learned of his specific role in the plot from debriefing KSM." A review of CIA records found that on March 6, 2003, prior to any reporting from KSM or any other CIA detainee, Majid Khan, in foreign government custody, discussed Ammar al-Baluchi's Karachi-based assistant, "Talha." Majid Khan provided a phone number for Talha, and used that number at the request of his captors in an effort to locate and capture Ammar al-Baluchi through Talha. (*See* [redacted] 13678 (070724Z MAR 03); [redacted] 13710 (081218Z MAR 03); ALEC [redacted] (081830Z MAR 03); [redacted] 13695 (080611Z MAR 03); [redacted] 11092 [redacted].) Ammar al-Baluchi, when he was in foreign government custody, provided a description of Talha, whom he called "Suliman," and stated that he had dispatched Talha, aka Suliman, to the United Kingdom to identify operatives "suitable for hijacking or suicide operations." Ammar al-Baluchi also identified an email address used by Talha. (*See* [redacted] 14291 (021645Z MAY 03); [redacted] 14478 [redacted]; [redacted] 14420 [redacted]; [redacted] 14304 [redacted]; ALEC [redacted] (142334Z MAY 03).) As KSM had not yet mentioned Abu Talha, Ammar al-Baluchi's reporting prompted Deputy Chief of ALEC Station [redacted] to note that "KSM could be in trouble very soon." (*See* email from: [redacted]; to: [redacted], [redacted], [redacted], [REDACTED], [REDACTED]; subject: action detainee branch – Re: ammar and KSM).) In the context of the U.K. Urban Targets Plot, the CIA's June 2013 Response states: "Abu Talha's arrest – a case CIA frequently cited as a success of the detainee program – would not have happened if not for reporting from CIA-held detainees." As described elsewhere in this summary, and in greater detail in Volume II, CIA records do not support this statement.

(~~TS//[redacted]//NF~~) *Further Details:* Riduan bin Isomuddin, aka Hambali, was a senior member of Jemaah Islamiyah (JI), a Southeast Asia-based terrorist group, and served as an interface between the JI and al-Qa'ida. Hambali was linked to terrorist activity prior to the September 11, 2001, attacks. Shortly after those attacks, Hambali was described as the CIA's "number one target" in Southeast Asia.[1693] When the October 12, 2002, terrorist attacks occurred on the Indonesian island of Bali, killing more than 200 individuals, Hambali was immediately suspected of being the "mastermind" of the attacks and was further described as "one of the world's most wanted terrorists."[1694]

(~~TS//[redacted]//NF~~) The capture of Hambali is one of the eight most frequently cited examples provided by the CIA as evidence for the effectiveness of the CIA's enhanced interrogation techniques. Over a period of years, CIA documents prepared for and provided to senior policymakers, intelligence officials, and the Department of Justice represent the capture of Hambali as an example of how "[k]ey intelligence collected from HVD interrogations *after* applying interrogation techniques" had "enabled CIA to disrupt terrorist plots" and "capture additional terrorists."[1695] The CIA further represented that the intelligence acquired from the CIA's enhanced interrogation techniques was "otherwise unavailable" and "saved lives."[1696]

[1693] DIRECTOR [redacted] (241921Z MAR 02)

[1694] Among other news sources, *see* "The Secret Mastermind Behind the Bali Horror," *The Observer*, 19 October 2002.

[1695] Italics included in CIA Memorandum to the Office of Legal Counsel, entitled, "Effectiveness of the CIA Counterterrorist Interrogation Techniques," from March 2, 2005.

[1696] From 2003 through 2009, the CIA's representations regarding the effectiveness of the CIA's enhanced interrogation techniques provided a specific set of examples of terrorist plots "disrupted" and terrorists captured that the CIA attributed to information obtained from the use of its enhanced interrogation techniques. CIA representations further asserted that the intelligence obtained from the use of the CIA's enhanced interrogation techniques was unique, otherwise unavailable, and resulted in "saved lives." Among other CIA representations, *see*: (1) CIA representations in the Department of Justice Office of Legal Counsel Memorandum, dated May 30, 2005, which relied on a series of highly specific CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques to assess their legality. The CIA representations referenced by the OLC include that the use of the CIA's enhanced interrogation techniques was "necessary" to obtain "critical," "vital," and "otherwise unavailable actionable intelligence" that was "essential" for the U.S. government to "detect and disrupt" terrorist threats. The OLC memorandum further states that "[the CIA] ha[s] informed [the OLC] that the CIA believes that this program is largely responsible for preventing a subsequent attack within the United States." (*See* Memorandum for John A. Rizzo, Senior Deputy General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, May 30, 2005, Re: Application of United States Obligations Under Article 16 of the Convention Against Torture to Certain Techniques that May Be Used in the Interrogation of High Value al Qaeda Detainees.) (2) CIA representations in the Department of Justice Office of Legal Counsel Memorandum dated July 20, 2007, which also relied on CIA representations on the type of intelligence acquired from the use of the CIA's enhanced interrogation techniques. Citing CIA documents and the President's September 6, 2006, speech describing the CIA's interrogation program (which was based on CIA-provided information), the OLC memorandum states: "The CIA interrogation program—and, in particular, its use of enhanced interrogation techniques—is intended to serve this paramount interest [security of the Nation] by producing substantial quantities of otherwise unavailable intelligence. …As the President explained [on September 6, 2006], 'by giving us information about terrorist plans we could not get anywhere else, the program has saved innocent lives.'" (*See* Memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, from Steven G. Bradbury, Principal Deputy Assistant Attorney General, Office of Legal Counsel, July 20, 2007, Re: Application of the War Crimes Act, the Detainee Treatment Act, and Common Article 3 of the Geneva Conventions to Certain Techniques that May Be Used by the CIA in the Interrogation of High Value

(~~TS//[redacted]//NF~~) As an example, in a briefing prepared for the president's chief of staff, Josh Bolten, on May 2, 2006, the CIA represented that the "[u]se of the DOJ-authorized *enhanced interrogation techniques*, as part of a comprehensive interrogation approach, has enabled us to disrupt terrorist plots, capture additional terrorists, and collect a high volume of critical intelligence on al-Qa'ida."[1697] The briefing document represents that "[a]ssessing the effectiveness of individual interrogation techniques is difficult," but provides 11 specific examples of "Key Intelligence Collected from HVD Interrogations," including:

> "Hambali's Capture: During KSM's interrogation we acquired information that led to the capture of Hambali in August 2003 and to the partial dismantling of the Jemaah Islamiyah leadership in SE Asia. *KSM first told us* about Majid Khan's role in delivering $50,000 to Hambali operatives for an attack KSM believed was imminent. *We then confronted Khan with KSM's admission* and [signals intelligence] confirming the money transfer and Khan's travel to Bangkok. Khan admitted he delivered the money to an operative named 'Zubair,' whom we subsequently identified and captured. Zubair's capture led to the identification and subsequent capture of an operative named

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al Qaeda Detainees.) (3) CIA briefings for members of the National Security Council in July and September 2003 represented that "the use of Enhanced Techniques of one kind or another had produced significant intelligence information that had, in the view of CIA professionals, saved lives," and warned policymakers that "[t]ermination of this program will result in loss of life, possibly extensive." (*See* August 5, 2003 Memorandum for the Record from Scott Muller, Subject: Review of Interrogation Program on 29 July 2003; Briefing slides, CIA Interrogation Program, July 29, 2003; September 4, 2003, CIA Memorandum for the Record, Subject: Member Briefing; and September 26, 2003, Memorandum for the Record from Muller, Subject: CIA Interrogation Program.) (4) The CIA's response to the Office of Inspector General draft Special Review of the CIA program, which asserts: "Information [the CIA] received… as a result of the lawful use of enhanced interrogation techniques ('EITs') has almost certainly saved countless American lives inside the United States and abroad. The evidence points clearly to the fact that without the use of such techniques, we and our allies would [have] suffered major terrorist attacks involving hundreds, if not thousands, of casualties." (*See* Memorandum for: Inspector General; from: James Pavitt, Deputy Director for Operations; subject: re (S) Comments to Draft IG Special Review, "Counterterrorism Detention and Interrogation Program" 2003-7123-IG; date: February 27, 2004; attachment: February 24, 2004, Memorandum re Successes of CIA's Counterterrorism Detention and Interrogation Activities.) (5) CIA briefing documents for CIA Director Leon Panetta in February 2009, which state that the "CIA assesses that the RDI program worked and the [enhanced interrogation] techniques were effective in producing foreign intelligence," and that "[m]ost, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by other means." (*See* CIA briefing documents for Leon Panetta, entitled, "Tab 9: DCIA Briefing on RDI Program-18FEB.2009" and graphic attachment, "Key Intelligence and Reporting Derived from Abu Zubaydah and Khalid Shaykh Muhammad (KSM)," including "DCIA Briefing on RDI Program" agenda, CIA document "EITs and Effectiveness," with associated documents, "Key Intelligence Impacts Chart: Attachment (AZ and KSM)," "Background on Key Intelligence Impacts Chart: Attachment," and "supporting references," to include "Background on Key Captures and Plots Disrupted.") (6) CIA document faxed to the Senate Select Committee on Intelligence on March 18, 2009, entitled, "[SWIGERT] and [DUNBAR]," located in Committee databases at DTS #2009-1258, which provides a list of "some of the key captures and disrupted plots" that the CIA had attributed to the use of the CIA's enhanced interrogation techniques, and stating: "CIA assesses that most, if not all, of the timely intelligence acquired from detainees in this program would not have been discovered or reported by any other means." *See* Volume II for additional CIA representations asserting that the CIA's enhanced interrogation techniques enabled the CIA to obtain unique, otherwise unavailable intelligence that "saved lives."

[1697] *See* May 2, 2006, Briefing for the Chief of Staff to the President: Briefing for Chief of Staff to the President Josh Bolten: CIA Rendition, Detention and Interrogation Programs.

> Lilie who was providing forged passports to Hambali. Lilie identified the house in Bangkok where Hambali was hiding."[1698]

(~~TS//[redacted]//NF~~) Similarly, on July 13, 2004, the CIA disseminated an Intelligence Assessment entitled, "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida."[1699] On April 22, 2005, the paper, as well as other materials on CIA detainee reporting, was faxed from [redacted] CTC Legal, to the Office of Legal Counsel at the Department of Justice, to support the OLC's legal review of the CIA's enhanced interrogation techniques.[1700] The document states:

> "…information that KSM provided on Majid Khan in the spring of 2003 was the *crucial first link* in the chain that led us to the capture of prominent JI leader and al-Qa'ida associate Hambali in August 2003, and more than a dozen Southeast Asian operatives slated for attacks against the US homeland. KSM told us about [Majid] Khan's role in delivering $50,000 in December 2002 to operatives associated with Hambali. …[Majid] Khan—who had been detained in Pakistan in early 2003—was confronted with KSM's information about the money and acknowledged that he delivered the money to an operative named 'Zubair.' …Based on that information, Zubair was captured in June 2003.[1701]

On August 24, 2009, this document was declassified with redactions and publicly released with the inaccurate information unredacted.[1702]

(~~TS//[redacted]//NF~~) The CIA provided similar inaccurate representations regarding the capture of Hambali in 18 of the 20 documents provided to policymakers and the Department of

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[1698] Italics added. *See* May 2, 2006, Briefing for Chief of Staff to the President Josh Bolten: CIA Rendition, Detention and Interrogation Programs. The CIA's June 2013 Response maintains that the chronology in this passage and similar representations are correct. The CIA's June 2013 Response describes the following as "standard language" and the CIA's "typical representation" of Hambali's capture: "KSM provided information about an al-Qa'ida operative, Majid Khan, who he was aware had recently been captured. KSM—possibly believing the detained operatives was 'talking' admitted to having tasked Majid with delivering a large sum of money to individuals working for another senior al-Qa'ida associate. In an example of how information from one detainee can be used in debriefing another detainee in a 'building block' process, *Khan—confronted with KSM's information about the money—acknowledged that he delivered the money to an operative named Zubair and provided Zubair's physical description and contact number*" (italics added). The CIA's June 2013 Response states that this chronology is "accurate." As detailed in this summary, and in greater detail in Volume II, this June 2013 CIA representation is inaccurate. Majid Khan—who was in foreign government custody—first provided information on the money exchange and Zubair, prior to any reporting from KSM.

[1699] CIA, "Khalid Shaykh Muhammad: Preeminent Source On Al-Qa'ida," was authored by [REDACTED], CTC/UBLD/AQPO/AQLB.

[1700] CIA fax to the Department of Justice, entitled, "[redacted], Materials on KSM and Abu Zubaydah. [redacted]," dated 22 April 2005. For background on the intelligence product, *see* DTS #2004-3375.

[1701] Italics added. CIA Directorate of Intelligence, "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida," dated July 13, 2004, faxed to the Department of Justice, April 22, 2005, entitled, "[redacted], Materials on KSM and Abu Zubaydah. [redacted]." This report was widely disseminated in the Intelligence Community and provided to the Senate Select Committee on Intelligence on July 15, 2004.

[1702] *See* www.washingtonpost.com/wp-srv/nation/documents/Khalid _Shayhk_Mohammad.pdf.

Justice between July 2003 and March 2009.[1703] In these representations, the CIA consistently asserted that *"after applying"* the CIA's enhanced interrogation techniques, KSM provided *"the crucial first link"* that led to the capture of Hambali.[1704]

(~~TS//[redacted]//NF~~) A review of CIA operational cables and other records found that information obtained from KSM during and after the use of the CIA's enhanced interrogation techniques played no role in the capture of Hambali. A review of CIA records further found that prior to reporting from CIA detainees subjected to the CIA's enhanced interrogation techniques, the CIA had intelligence on: (1) Hambali's role in the Jemaah Islamiyah; (2) funding by al-Qa'ida and KSM of Hambali's terrorist activities; (3) the operative to whom Majid Khan delivered the money, Zubair, and Zubair's links to terrorism, Jemaah Islamiyah, and Hambali; and (4) Majid Khan's $50,000 money transfer from al-Qa'ida to Zubair in December 2002. CIA records indicate that the intelligence that led to Hambali's capture was based on signals intelligence, a CIA source, and Thai investigative activities in Thailand.[1705]

(~~TS//[redacted]//NF~~) Prior to his capture, Hambali was known to have played a supporting role in the KSM and Ramzi Yousef "Bojinka Plot," an effort in early 1995 to place explosives on 12 United States-flagged aircraft and destroy them mid-flight.[1706] By the end of 2001, Hambali was suspected of playing a supporting role in the September 11, 2001, terrorist attacks, as well as helping to enroll Zacarias Moussaoui in flight school.[1707] By early 2002, a body of intelligence reporting unrelated to the CIA's Detention and Interrogation Program indicated that KSM was providing Hambali with funding to conduct terrorist operations in Southeast Asia.[1708] In March 2002, Hambali was described as the CIA's "number one target" in

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[1703] *See* list of CIA prepared briefings and memoranda from 2003 through 2009 with representations on the effectiveness of the CIA's enhanced interrogation techniques referenced in this summary and described in detail in Volume II.

[1704] Among other documents, *see* CIA Directorate of Intelligence, "Khalid Shaykh Muhammad: Preeminent Source on Al-Qa'ida," dated July 13, 2004, faxed to the Department of Justice, April 22, 2005, fax entitled, "[redacted], Materials on KSM and Abu Zubaydah. [redacted]." This Intelligence Assessment was widely disseminated in the Intelligence Community and provided to the Senate Select Committee on Intelligence on July 15, 2004. On March 31, 2009, former Vice President Cheney requested the declassification of this Intelligence Assessment, which was publicly released with redactions on August 24, 2009. *See also* CIA Memorandum for Steve Bradbury at Office of Legal Counsel, Department of Justice, dated March 2, 2005, from [redacted]. [redacted] Legal Group, DCI Counterterrorist Center, subject "Effectiveness of the CIA Counterterrorist Interrogation Techniques" and Classified Statement for the Record, Senate Select Committee on Intelligence, provided by General Michael V. Hayden, Director, Central Intelligence Agency, 12 April 2007 (DTS #2007-1563).

[1705] *See* intelligence chronology in Volume II for detailed information.

[1706] *See* United States Court of Appeals, August Term, 2001, *U.S. v Ramzi Ahmed Yousef*, and DIRECTOR [redacted] ([redacted] JAN 02). *See also* [redacted] CIA [redacted] [redacted] MAR 02).

[1707] December 15, 2001, CIA Briefing Document, "DCI Highlights." *See also* ALEC [redacted] (262150Z APR 02) and email from: REDACTED; to: REDACTED, [redacted], [redacted], [redacted], and others; subject: "Debriefing results of Omani al-Qa'ida cell leader yields further connections between possibly Khalid Shaykh Muhammed and the East Asia al-Qa'ida network"; date: April 16, 2002, at 9:56:34 AM. *See also* 9/11 Commission Report.

[1708] *See* intelligence chronology in Volume II, including ALEC [redacted] (262150Z APR 02). *See also* email from: [REDACTED]; to [REDACTED], [redacted], [redacted], [redacted], and others; subject: "Debriefing results of Omani al-Qa'ida cell leader yields further connections between possibly Khalid Shaykh Muhammed and the East Asia al-Qa'ida network"; date: April 16, 2002, at 9:56:34 AM.

Southeast Asia.[1709] That same month, the FBI provided information to the CIA stating that foreign government detainee reporting indicated that KSM reimbursed terrorism-related expenditures made by Hambali for the JI.[1710] By June of 2002, the CIA had entered into discussions with representatives of the [redacted] government regarding their willingness to accept custody of Hambali once he was captured.[1711] On September 25, 2002, the CIA reported that an individual in FBI custody since May 2002, Mohammed Mansour Jabarah, reported that in November 2001, he collected $50,000 from KSM for a Hambali-directed terrorist operation targeting U.S. interests, as well as at least one other $10,000 payment.[1712] On the same day, September 25, 2002, a CIA cable stated that Masran bin Arshad, while in the custody of a foreign government, had detailed his connections to Abu Ahmad al-Kuwaiti and KSM.[1713] According to bin Arshad, after KSM's "Second Wave" plotting was "abandoned" in late 2001, bin Arshad was tasked by KSM to meet with Abu Ahmad al-Kuwaiti in Pakistan and to deliver $50,000 to Hambali for terrorist operations. Bin Arshad stated he was unable to deliver the money.[1714] When the October 12, 2002, terrorist attacks occurred on the Indonesian island of Bali, killing more than 200 individuals, Hambali was immediately suspected of being the "mastermind" of the attacks and was further described as "one of the world's most wanted terrorists."[1715] Open source information in October 2002 identified the funding for the Bali bombings as flowing through Hambali from al-Qa'ida leadership in Pakistan. Through November 2002, news reports highlighted links between senior al-Qa'ida leadership—including KSM—and JI in the context of the Bali bombings. Hambali continued to be identified as a potential mastermind of the bombing and likely residing in Thailand. These same reports identified a Malaysian named "Zubair" as one of three individuals sought by security officials for the Hambali-linked Bali bombings.[1716]

(~~TS//[redacted]//NF~~) In early January 2003, coverage of a known al-Qa'ida email account uncovered communications between that account and the account of a former Baltimore, Maryland, resident, Majid Khan. The communications indicated that Majid Khan traveled to Bangkok, Thailand, in December 2002 for terrorist support activities and was in contact there

[redacted]

[1709] DIRECTOR [redacted] (241921Z MAR 02)
[1710] ALEC [redacted] (22150Z APR 02)
[1711] ALEC [redacted] (041957Z JUN 02)
[1712] [redacted]. *See also* "Terror Informant for FBI Allegedly Targeted Agents," *Washington Post*, dated January 19, 2008, and Department of Justice documents on Mohammed Mansour Jabarah, including Jabarah's "Sentencing Memorandum."
[1713] *See* section of this summary and Volume II on the "Information on the Facilitator That Led to the UBL Operation" for additional information on Abu Ahmad al-Kuwaiti. Masran bin Arshad was in the custody of the government of [redacted] at this time.
[1714] DIRECTOR [redacted] (251938Z SEP 02); [redacted] 65903 [redacted] AUG 02); CIA [redacted] AUG 02); [redacted] 65903 ([redacted] AUG 02); [redacted] 65902 ([redacted] AUG 02)
[1715] Among other open sources, *see* "The Secret Mastermind Behind the Bali Horror," *The Observer*, 19 October 2002.
[1716] Among other open source reporting, *see* "The Sadness of Bali is the Sadness of the World," *The Strait Times*, dated November 16, 2002; "Jemaah Islamiyah Still Capable of Major Terrorist Attacks," Philippine *Headline News*, dated November 27, 2002; "Police Arrest 13 Linked to Bali Bombers, Uncovers Plot to Blow Up Bank," *AFP*, dated November 26, 2002; "Bali Friends Have Arabia Link," *New York Post*, dated December 2, 2002; "Finger Is Pointed At Bomber," *AFP-Hong Kong*, dated November 26, 2002; and "Mastermind of Bali Bomb Arrested," *The Strait Times*, dated November 22, 2002.

with a "Zubair."[1717] By this time, the CIA had significant information—prior to KSM's capture—indicating that a "Zubair" played a central supporting role in the JI, was affiliated with al-Qa'ida figures like KSM, had expertise in [redacted] in Southeast Asia, and was suspected of playing a role in Hambali's October 12, 2002, Bali bombings.[1718] This information was derived from traditional intelligence collection, open source reporting, and FBI debriefings of Abu Zubaydah (prior to Abu Zubaydah being subjected to the CIA's enhanced interrogation techniques).[1719] On March 4, 2003, the day before Majid Khan's capture, the FBI requested additional information from the CIA on the "Zubair" referenced in Majid Khan's emails.[1720]

(~~TS//[redacted]//NF~~) On March 6, 2003, the day after Majid Khan was captured in Pakistan, and while being questioned by foreign government interrogators using rapport-building techniques,[1721] Majid Khan described how he traveled to Bangkok in December 2002 and

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[1717] ALEC [redacted] (170117Z JAN 03). At this time open source reporting also placed Hambali in Thailand. *See*, for example, "FBI Report Pointed to Bali Bombing," *The Age*, dated January 23, 2003; "Thailand's Denial of Threat Fails to Convince," *AFP*, dated November 15, 2002; "We'll Hit You: Pre-Bali Alert," *Herald (Australia)*, dated November 16, 2002; "JI Terror Group Still Major Threat Despite Arrests," *Agence France Presse (AFP)*, dated November 26, 2002; "Indonesia Arrests a Top Suspect in Southeast Asia Terror Network," *New York Times*, dated December 4, 2002; and "Inside the Bali Plot: A TIME Inquiry Unearths the Roots of the Bombings and Shows How the Masterminds Remain at Large," *Time Magazine*, dated December 9, 2002.

[1718] The CIA's June 2013 Response acknowledges that the CIA "had some other information linking Zubair to al-Qa'ida's Southeast Asia network," but states "that it was KSM's information that caused us to focus on [Zubair] as an inroad to Hambali." The CIA's June 2013 Response further asserts: "KSM provided information on an al-Qa'ida operative named Zubair, we shared this information with Thai authorities, they detained Zubair, and he gave actionable intelligence information that helped us identify Hambali's location." This statement in the CIA's June 2013 Response is inaccurate. On October 25, 2013, the CIA acknowledged the inaccuracy. Confirming information in the Committee Study, the CIA stated that an additional review of CIA records by the CIA found that "No, KSM did not name Zubair in his debriefings."

[1719] In May 2002, prior to the application of the CIA's enhanced interrogation techniques, Abu Zubaydah identified "Zubair" as a Malaysian national who was associated with KSM and who could be used by KSM to conduct attacks in Thailand. According to Abu Zubaydah, Zubair also "assisted Abu Zubaydah in obtaining passports from a printer facility in either Thailand or Malaysia." (*See* DIRECTOR [redacted] (271937Z MAY 02) [redacted].) In June 2002, Abu Zubaydah told an FBI interrogator that he sent a Canadian who sought to "help defend Muslims" in Indonesia to a Malaysian named Abu Zubair. (*See* [redacted] 10475 (141605Z JUN 02).) In July 2002, a U.S. military detainee stated that "Zubair" was a member of the Jemaah Islamiyah and was connected to Jemaah Islamiyah senior leaders. (*See* [redacted] 11691 (141712Z JUL 02). For other intelligence identifying "Zubair" as one of several individuals suspected of being connected to the October 2002 Bali bombings, *see* [redacted] 95612 (290615Z OCT 02); DIRECTOR [redacted] (202057Z OCT 02); and DIRECTOR [redacted].) Open source news reports highlighted links between senior al-Qa'ida leadership—including KSM—and Jemaah Islamiyah in the context of the Bali bombings. Hambali continued to be identified as a potential mastermind of the bombing—and likely residing in Thailand. These same reports identified a Malaysian named "Zubair" as one of three individuals sought by security officials for Hambali's Bali bombings. Among other open source reporting, *see* "The Secret Mastermind Behind the Bali Horror," *The Observer*, 19 October 2002; "The Sadness of Bali is the Sadness of the World," *The Strait Times*, dated November 16, 2002; "Jemaah Islamiyah Still Capable of Major Terrorist Attacks," *Philippine Headline News*, dated November 27, 2002; "Police Arrest 13 Linked to Bali Bombers, Uncovers Plot to Blow Up Bank," *AFP*, dated November 26, 2002; "Bali Friends Have Arabia Link," *New York Post*, dated December 2, 2002; "Finger Is Pointed At Bomber," *AFP-Hong Kong*, dated November 26, 2002; "Inside the Bali Plot: A TIME Inquiry Unearths the Roots of the Bombings and Shows How the Masterminds Remain at Large," *Time Magazine*, dated December 9, 2002; and "Mastermind of Bali Bomb Arrested," *The Strait Times*, dated November 22, 2002. *See* intelligence chronology in Volume II for additional detailed information.

[1720] *See* [redacted] 89601 (042006Z MAR 03).

[1721] [redacted] 13678 (070724Z MAR 03). According to CIA records, "a [foreign government officer] talked quietly to [Majid Khan] alone for about ten minutes before the interview began and was able to establish an

provided $50,000 USD to "Zubair" at the behest of al-Qa'ida. Khan also stated that he updated KSM's nephew, Ammar al-Baluchi, via email about the money exchange. Majid Khan's physical description of Zubair matched previous intelligence reporting already collected on Zubair.[1722] On March 10, 2003, the CIA [redacted] requested that information about Majid Khan's travel to Thailand and his delivery of money to "Zubair" be shared with Thai authorities, along with the physical description of "Zubair" and a phone number for Zubair provided by Majid Khan. CIA [redacted] proposed that it inform the Thais that "[w]e are very concerned that the money mentioned may be funding terrorist activities, as well as the individuals in question," and that [redacted] request the Thai government "provide any details regarding these individuals and phone numbers."[1723]

(~~TS//[redacted]//NF~~) On March 11, 2003, after being confronted with information that confirmed KSM's financial support to Hambali, KSM admitted to providing Hambali with $50,000 to conduct a terrorist attack "in approximately November 2002." KSM made no reference to Majid Khan or Zubair.[1724] On March 17, 2003, after being confronted with Majid Khan's reporting and a photograph of Majid Khan, KSM confirmed that Majid Khan—whom he stated he knew only as "Yusif"—was involved in the money transfer to Hambali.[1725] KSM denied knowing Zubair—who would be the critical link to Hambali's capture—or any other Hambali representative in Thailand.[1726]

(~~TS//[redacted]//NF~~) By May 2003, the CIA had learned that a source the CIA had been developing [redacted], received a call from a phone number associated with Zubair. When the source was contacted by the CIA, he described a Malaysian man [redacted].[1727] CIA officers

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excellent level of rapport. The first hour and [a] half of the interview was a review of bio-data and information previously [reported]. When [foreign government interrogators] started putting pressure on [Majid Khan] by pulling apart his story about his 'honeymoon' in Bangkok and his attempt to rent an apartment, safehouse, for his cousin [Mansoor Maqsood, aka Iqbal, aka Talha, aka Moeen, aka Habib], at 1400, [Majid Khan] slumped in his chair and said he would reveal everything to officers...."

[1722] [redacted] 13678 (070724Z MAR 03). Records indicate that this information was also disseminated in FBI channels. *See* ALEC [redacted]. For previous intelligence on Zubair's physical description, *see* [redacted] 11715 [redacted]. *See also* DIRECTOR [redacted]. *See* intelligence chronology in Volume II for detailed information.

[1723] [redacted] 81553 (101010Z MAR 03). The request was approved by CIA Headquarters on March 12, 2003 (DIRECTOR [redacted] (March 12, 2003)).

[1724] [redacted] 10755 (111455Z MAR 03). *See also* DIRECTOR [redacted] (112152Z MAR 03). ALEC Station had sent interrogators at the CIA's DETENTION SITE BLUE at least two "requirements" cables with information to use in the interrogation of KSM specifically about Hambali and KSM's money transfers to Hambali. *See* ALEC [redacted] (072345Z MAR 03); ALEC [redacted] (090015Z MAR 03). KSM was rendered to CIA custody on March [redacted], 2003, and immediately subjected to the CIA's enhanced interrogation techniques through March 25, 2003.

[1725] KSM was told the CIA had "stacks and stacks of emails," and that CIA officers were going to do a "test of his honesty" by asking him a series of questions. *See* [redacted] 10865 (171648Z MAR 03).

[1726] The CIA's June 2013 Response states: "KSM provided information on an al-Qa'ida operative named Zubair, we shared this information with Thai authorities, they detained Zubair, and he gave actionable intelligence information that helped us identify Hambali's location." This statement in the CIA's June 2013 Response is inaccurate. In a document submitted to the Committee on October 25, 2013, the CIA acknowledged the inaccuracy. Confirming information in the Committee Study, the CIA stated that an additional review of CIA records by the CIA found that, "No, KSM did not name Zubair in his debriefings." *See* DTS #2013-3152.

[1727] [redacted] 84783 [redacted] 84837 [redacted]

suspected this individual was the "Zubair" associated with Hambali and Majid Khan.[1728] [redacted] later, the source alerted the CIA that the person suspected of being Zubair would be [redacted]. When Zubair arrived at [redacted], he was photographed and followed by Thai authorities.[1729] A detainee in foreign government custody confirmed the individual in the surveillance photo was Zubair.[1730] On June 8, 2003, Zubair was detained by the government of Thailand.[1731] While still in Thai custody, Zubair was questioned about his efforts to obtain fraudulent [redacted] documents, as well as his phone contact with [redacted] [Business Q].[1732] Zubair admitted to seeking illegal [redacted] documents on behalf of Hambali, as well as using [redacted] [Business Q] [redacted].[1733] Signals intelligence had alerted the CIA that a phone number associated with Zubair had been in frequent contact with [redacted] [Business Q].[1734] After being transferred to CIA custody and rendered to the CIA's COBALT detention site, Zubair was immediately subjected to the CIA's enhanced interrogation techniques.[1735] Days later, Zubair was asked about his efforts to obtain illegal [redacted] documents for Hambali, at which point he again acknowledged using [redacted] [Business Q] [redacted].[1736] When Thai authorities unilaterally approached a "contact" at [redacted] [Business

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[1728] [redacted] 84257 [redacted]. *See also* [redacted] 84783 [redacted] and [redacted] 84837 [redacted].

[1729] [redacted] 84783 [redacted]; [redacted] 84837 [redacted]

[1730] [redacted] 31768 [redacted]. The detainee was in the custody of the government of [redacted].

[1731] [redacted] 84854 [redacted]

[1732] [redacted] 84854 [redacted]; [redacted] 84876 [redacted]; [redacted] 87617 [redacted]; [redacted] 84908 [redacted]. The Committee has used "Business Q" to refer to a specific company.

[1733] [redacted] 84854 [redacted]; [redacted] 84876 [redacted]; [redacted] 87617 [redacted]; [redacted] 84908 [redacted]

[1734] [redacted] 84908 [redacted]. It is unclear what specific actions the CIA or local authorities engaged in as a result of the information Zubair provided on [redacted] [Business Q] while in foreign government custody. CIA records indicate that Thai authorities were engaged in their own unilateral efforts to track and identify leads related to Hambali and Zubair. A June 28, 2003, CIA cable states that local authorities were investigating Zubair's links to various [redacted] [businesses]. Later, in July 2003, the CIA learned that Thai authorities had approached a "contact" who worked at [redacted] [Business Q]. [redacted]. The CIA's June 2013 Response acknowledges that prior to being transferred to CIA custody, "[d]uring [foreign government] debriefings, Zubair reported on the [redacted] and corroborated reporting on [redacted] [Business Q] [redacted]. This information when combined with reporting from other sources to form a complete picture of Hambali's status was critical in helping identify Hambali's general location and led to his arrest on 11 August by Thai [authorities]." A review of CIA records found that the reporting referenced was obtained prior to Zubair's rendition to CIA custody.

[1735] [redacted] 40568 [redacted]

[1736] [redacted] 84876 [redacted]; [redacted] 84908 [redacted]; [redacted] 40915 [redacted]; [redacted] 41017 [redacted]. [redacted] In response to this information, [redacted] wrote, "Wow..this is just great... you guys are soooo closing in on Hmabali [sic]." (*See* email from: [redacted]; to: [redacted], and others; subject: "wohoo---hilite for EA team pls....aliases for Hambali"; date: June [redacted], 2003, at 9:51:30 AM.) As noted, CIA records indicate that Thai authorities were unilaterally following investigative leads related to Hambali and Zubair. It is unknown what specific investigative steps were taken by Thai authorities (or by the CIA) between early June 2003 and July 16,

Q], they obtained [redacted]. [1737] An operation targeting [redacted] was developed that focused on surveillance of [redacted] [Business Q]. As a result of this surveillance, and the cooperation of [redacted], Hambali associate Amer was arrested on August 11, 2003. [1738] Amer was immediately cooperative and assisted in an operation that led to the arrest of Lillie, aka Bashir bin Lap, that same day. [1739] Lillie was found to have a key fob in his possession imprinted with an address of an apartment building in Ayutthaya, Thailand. In response to questioning, "within minutes of capture," Lillie admitted that the address on the key fob was the address where Hambali was located. Fewer than four hours later, an operation successfully led to Hambali's capture at the address found on the key fob. [1740]

(~~TS//~~ [redacted] ~~//NF~~) On November 28, 2005, the chief of the CTC's Southeast Asia Branch explained how Hambali was captured in an interview with the CIA's Oral History Program, stating:

> "Frankly, we stumbled onto Hambali. We stumbled onto the [the source] ...picking up the phone and calling his case officer to say there's [redacted] [related to Zubair]. ...we really stumbled over it. It wasn't police work, it wasn't good targeting, it was we stumbled over it and it yielded up Hambali. What I tell my people is you work really, really hard to be in a position to get lucky." [1741]

2003, to investigate [redacted] [Business Q]. On July 16, 2003, the CIA learned that Thai authorities had been independently in contact with [redacted] [Business Q]. After being transferred to CIA custody and rendered to the CIA's COBALT detention site, Zubair was immediately subjected to the CIA's enhanced interrogation techniques. Days later, on June 25, 2003, Zubair was asked again about his efforts to obtain [redacted] documents for Hambali, at which point Zubair again acknowledged using [redacted] [Business Q] [redacted]. As noted, Zubair had previously identified [redacted] [Business Q] while in foreign government custody [redacted]. The CIA has never claimed to policymakers that information obtained from Zubair after the use of the CIA's enhanced interrogation techniques led to Hambali's capture. Nor are there any internal CIA records crediting the use of the CIA's enhanced interrogation techniques against Zubair as leading to Hambali's capture. As noted, the CIA's June 2013 Response states: "During [foreign government] debriefings, Zubair reported on the [redacted] and corroborated reporting on [redacted] [Business Q] [redacted]. This information when combined with reporting from other sources to form a complete picture of Hambali's status was critical in helping identify Hambali's general location and led to his arrest on 11 August by Thai [authorities]." *See also* [redacted] 84876 [redacted]; [redacted] 84908 [redacted]; [redacted] 40915 [redacted]; and [redacted] 41017 [redacted].

[1737] [redacted] 86449

[1738] [redacted] 87409 [redacted]; [redacted] 87617 [redacted]. Amer was detained by a foreign government.

[1739] [redacted] 87414 [redacted]; [redacted] 87617 [redacted].

[1740] *See* [redacted] 9515 [redacted]; [redacted] 87617 [redacted]; [redacted] 87414 [redacted]; and [redacted] "Hambali Capture." Lillie was later rendered to CIA custody.

[1741] Lillie had not yet been rendered to CIA custody. CIA Oral History Program Documenting Hambali capture, interview of [REDACTED], interviewed by [REDACTED], on November 28, 2005.

(~~TS//[redacted]//NF~~) Hambali was rendered to CIA custody on August [redacted], 2003, and almost immediately subjected to the CIA's enhanced interrogation techniques.[1742] On September 4, 2006, he was transferred to U.S. military custody.[1743]

G. CIA Secondary Effectiveness Representations—Less Frequently Cited Disrupted Plots, Captures, and Intelligence that the CIA Has Provided As Evidence for the Effectiveness of the CIA's Enhanced Interrogation Techniques

(~~TS//[redacted]//NF~~) In addition to the eight most frequently cited "thwarted" plots and terrorists captured, the Committee examined 12 other less frequently cited intelligence successes that the CIA has attributed to the effectiveness of its enhanced interrogation techniques.[1744] These representations are listed below:

Additional Intelligence the CIA Has Attributed to the Effectiveness of the CIA's Enhanced Interrogation Techniques	
1	The Identification of Khalid Shaykh Mohammad (KSM) as the Mastermind of the September 11, 2001, Attacks
2	The Identification of KSM's "Mukhtar" Alias
3	The Capture of Ramzi bin al-Shibh
4	The Capture of KSM
5	The Capture of Majid Khan
6	The Thwarting of the Camp Lemonier Plotting
7	The Assertion That Enhanced Interrogation Techniques Help Validate Sources
8	The Identification and Arrests of Uzhair and Saifullah Paracha
9	Critical Intelligence Alerting the CIA to Jaffar al-Tayyar
10	The Identification and Arrest of Saleh al-Marri
11	The Collection of Critical Tactical Intelligence on Shkai, Pakistan
12	Information on the Facilitator That Led to the UBL Operation

1742 [redacted] 1241 [redacted]

1743 [redacted] 1242 (050744Z SEP 06); [redacted] 2215 (051248Z SEP 06)

1744 The CIA's June 2013 Response states: "our review showed that the *Study* failed to include examples of important information acquired from detainees that CIA cited more frequently and prominently in its representations than several of the cases the authors chose to include." This is inaccurate. The CIA's June 2013 Response provided three examples: the "Gulf shipping plot" (which is addressed in the full Committee Study and in this summary in the context of the interrogation of Abd al-Rahim al-Nashiri), "learning important information about al-Qa'ida's anthrax plotting and the role of Yazid Sufaat" (which is addressed in the full Committee Study and in this summary in the context of the interrogation of KSM), and "the detention of Abu Talha al-Pakistani" (which is addressed in the full Committee Study and in this summary in the section on the "Thwarting of the United Kingdom Urban Targets Plot and the Capture of Dhiren Barot, aka Issa al-Hindi.").